



September 2015

Dear Campus Community Member:

Please feel free to review the college's annual campus safety report. This comprehensive report provides information on safety programs and services that are available at Fox Valley Technical College. This is also part of the college's effort to provide information to our community on the overall safety of our campuses, including the crimes that are reported to our security department and what steps you can put in place to maintain a safe and secure campus. This document also serves as a compliance report for the Jeanne Clery Act that was passed in 1998.

Student Services and Security Services, along with our campus and community partners, take any crimes or threats against students, staff and visitors to the campus very seriously. A priority is put on aggressively investigating reported crimes and behavioral issues as well as avenues to support the victims of crime in our campus community. We ask you to help as well. Empower yourself by being actively involved in prevention and educational programs offered on campus. Secure your personal property. As a responsible, vigilant and caring college population, take the time to report suspicious and unlawful behavior to Security Services. You can text security@fvtc.edu or call 920-735-5691. In addition, you may file an incident report at www.fvtc.edu/MyFVTC and tab Campus Resources and Campus Safety for access to the on-line reporting form. Please do your part by getting involved.

Thank you for your assistance in keeping our campus community safe. We appreciate the important role everyone plays in keeping the college, regardless of the location of the campus, a safe place for anyone who attends or visits. You are an important part of the safe environment we have at Fox Valley Technical College. Should you have any questions regarding your safety, others' safety or the Campus Safety Report, don't hesitate to contact Jayme Bowman or Tony Duff.

Sincerely,

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2015 Annual Campus Safety Clery Report

Fox Valley Technical College works hard to create a safe, welcoming campus community. In order to accomplish this, we encourage students, staff and visitors to become informed of our safety, security, crime and crime prevention information while on our campuses.

Information and reports on campus safety are compiled and reported by Security Services and Student Services. The offices of Security Services and Student Conduct, along with our campus and community partners take the commission of crimes against our students, staff and visitors very seriously. The college has a Behavioral Intervention Team (BIT). The purpose of this team is to provide a cross-functional, multidisciplinary point of contact for members of the college community who have encountered student behavior that they perceive as aberrant, threatening or dangerous. The team aims to track "red flags" in student behavior in order to identify individual or group behavior patterns or disturbances. Our commitment is to aggressively investigate any reported crime and have services in place to support the victims of crime in our campus community. With that said, prevention is the best approach. We all need to make it clear that our person and property are secure and protected by a vigilant and caring population of individuals who report any suspicious and unlawful behavior immediately. We all need to be involved in making our campus a safe environment.

Various federal and state laws require that certain information be provided to all students and staff on an annual basis to promote a safer environment. The purpose of this report is to provide our faculty, staff and students with accurate and timely campus safety information including crime statistics and procedures to follow to report a crime. These reports can be found on the college's website under Campus Safety. Any student or employee may request a printed copy of this report by contacting the Student Conduct Manager or Security Services offices at Fox Valley Technical College.

This is also the college's compliance document as called for under the Crime Awareness and Campus Security Act of 1990 and subsequent amendments that led to its being renamed the Jeanne Clery Act in 1998. This act requires colleges and universities across the United States to disclose information about crime on and around their campuses.

The "Clery Act" is named in memory of 19 year old Lehigh University freshman, Jeanne Ann Clery who was raped and murdered while asleep in her residence hall room on April 5, 1986. Jeanne's parents, Connie and Howard, discovered that students hadn't been told about 38 violent crimes on the Lehigh campus in the three years before her murder. They

joined with other campus crime victims and persuaded Congress to enact this law, which was originally known as the "Crime Awareness and Campus Security Act of 1990." The law was amended in 1992 to add a requirement that schools afford the victims of campus sexual assault certain basic rights, and was amended again in 1998 to expand the reporting requirements. The 1998 amendments also formally named the law in memory of Jeanne Clery. The law was amended in 2000 to require schools beginning in 2003 to notify the campus community about where public "Megan's Law" information about registered sex offenders on campus could be obtained. Most recently, in 2008, the law was amended to include information on emergency evacuations and emergency notification. To learn more go to www.securityoncampus.org.

The Violence Against Women Reauthorization Act of 2013 (VAWA) was signed into law by President Obama on March 7, 2013. This act directs colleges and universities to specify procedures as related to domestic violence, dating violence, sexual assault, or stalking incidents when reported. More information is available in this report.

The Drug Free Schools and Communities Act and Wisconsin Act 121 requires that colleges and universities adopt and implement a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. Notification of policies, health risks and prevention programs on an annual basis to all students and employees is required. Wisconsin Act 121 requires that local WTCS District Boards adopt rules relating to possession of drug paraphernalia and subjecting WTCS students to disciplinary action for drug offenses. You will find information regarding this in the report.

Campus Safety

This is one of many mechanisms designed to provide information on crime prevention, procedures to report a crime, resources available to victims and crime statistics. This report is designed to enhance the safety and security of anyone who visits, studies or works at Fox Valley Technical College. Many campus departments actively work to support and enhance campus safety. The following departments have significant responsibility for collecting and reporting crime data: Security Services, Behavioral Intervention Team, Student Life, and the Counseling Center.

Safety Tips

- Call Security immediately if you see or hear something suspicious. If it is an emergency, don't hesitate to call 911. Be sure to tell them exactly where you are. Room numbers are located on the inside of each door.
- Keep your possessions in your sight at all times. Don't leave your computers, cell phones or other electronic devices unattended.
- If you leave your office area or room, even if it is a short time, close and lock the door.

- Trust your instincts and be alert to potential dangers.
- Especially at night when it is dark, walk with another person whenever possible. Stay in a well-lit and high traffic area. Utilize security escorts whenever needed.
- Shred any documents which you discard containing personal information.
- If you see something unsafe on campus, say something. Safety is everyone's responsibility.

Reporting Crimes or Emergencies

All members of the campus community are urged to report crimes, suspicious behaviors and actions or other emergencies occurring on the campus to Security Services as accurately and timely as possible. When a report is filed, your concerns will be handled by trained security personnel in a confidential and professional manner. Once an incident or crime has been reported to Campus Security, a diligent effort will be made to investigate, resolve the conflict and identify the offender or hazard. Should the Student Code of Conduct be violated, the college's conduct officer will be involved. Violations to the Student Code of Conduct (disorderly conduct, physical assault, etc), regardless of the campus should be directed to 920-735-5691 or by filling out an incident report through our web page at www.fvtc.edu/MyFVTC, tab Campus Resources and Campus Safety.

FVTC recognizes the need to make the same efforts to track a crime which occurs at our satellite facilities and may impact faculty, staff, students and patrons. All incidents of a criminal nature occurring at satellite facilities shall be reported to that facility's local law enforcement agency as well as the college's Security Services. Security Services maintains partnerships with local law enforcement to ensure incidents and crimes are handled accurately and timely.

When a crime or incident occurs on a satellite campus, notification should be made to Security Services, consisting of written confirmation of the facility of occurrence, date and time of occurrence, type of incident and name of the local law enforcement agency which handled the incident. This can be done by utilizing the Maxient Software at www.fvtc.edu/MyFVTC, tab Campus Resources and Campus Safety. Campus Security will contact the involved local agency and request a copy of the official report for purposes of compliance reporting. Security Services can be contacted at (920) 735-5691 or in the case of an emergency, (920) 735-4777.

Timely Warnings

In the event of a major emergency, or an event which poses an ongoing or continuing threat to students, employees, or patrons, a warning is distributed by utilizing several resources. An all campus email will be sent to all students and staff as well as a notice that is posted on the college's website. The college has a public address system which will distribute warnings. Students and staff may sign up text messaging for Emergency Alerts through Rave Mobile. This information is posted on the college's website for notification under the Campus Safety tab or go directly to the link:

www.getrave.com/login/fvtc

Security and Access to Campus Facilities

On the Appleton campus, Campus Security operates Monday through Friday from 7 a.m. to 10 p.m. During closed periods and campus recesses, the Campus Security Team continues to work with administration and facilities personnel to maintain a safe and secured environment. The Appleton campus is located in the Town of Grand Chute. Additionally, the Public Safety Training Center opened during the 2014-2015 academic year. This facility is also staffed by Security Services and is located in the Town of Greenville near the Outagamie County airport. Local law enforcement is contacted when needed for FVTC facilities.

At the Riverside Campus, S.J. Spanbauer Center, AMTC (Advanced Manufacturing Technology Center and FABTECH Education Center in Oshkosh, security officers are assigned to assist our students, staff and guests Monday through Friday. These campuses are located in Winnebago County and Oshkosh. Local law enforcement agencies are contacted when needed.

Satellite campuses are located in Chilton, Clintonville, Waupaca and Wautoma. Security Services and its team work directly with the local law enforcement agencies. These municipalities are located throughout the college's five-county district.

Campus Security officers receive all reports brought forward by the college community. The College Conduct Officer works collaboratively with the Security Services Manager and also receives a copy of the reports. If police intervention is needed, the appropriate local police agency is contacted for immediate service.

The college currently does not have any on-site residential housing. A small percentage of students attending the college utilize housing provided by the University of Wisconsin-Oshkosh on their campus and are under individual contracts. During the academic year, this housing option was available to approximately 90 students. Additionally, the college maintains a housing partnership with the University of Wisconsin-Fox Valley Menasha campus. During the academic year, students may utilize housing there while attending classes at Fox Valley Technical College.

Should you have a safety or security concern, stop by Security Services at the Appleton campus, Room E160, text security@fvtc.edu or call (920) 735-5691. You may also submit an incident report by going to www.fvtc.edu/MyFVTC, tab Campus Resources and Campus Safety.

Campus Crime Statistics – The following crimes on Fox Valley Technical College campuses were reported to Security Services. These statistics are updated on or before October 1st of each year for the previous 3 calendar years. Statistics are divided between the Appleton and Oshkosh campuses and a compilation of the Regional Centers.

2014 Crime Statistics for FVTC			
Category	Appleton	Oshkosh	Regional Learning Centers
Aggravated Assault	0	0	0
Arson	0	0	0
Burglary	0	0	0
Damage to Property	2	0	0
Dating Violence	0	1	0
Domestic Violence	0	0	0
Drug-Abuse Violations	0	0	0
Hate Crimes	0	0	0
Intimidation	0	0	0
Liquor-Law Violations	10	2	0
Manslaughter	0	0	0
Motor Vehicle Theft	0	0	0
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Robbery	0	0	0
Sex Offense – Fondling	0	0	0
Sex Offense – Incest	0	0	0
Sex Offense – Rape	0	0	0
Sex Offense – Statutory Rape	0	0	0
Sexual Harassment	4	1	0
Sexual Misconduct	0	0	0
Stalking	1	0	0
Theft	5	4	0
Weapons Possession	1	0	0

2013 Crime Statistics for FVTC			
Category	Appleton	Oshkosh	Regional Learning Centers
Murder/non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses - Forcible	0	0	0
Sex Offenses - Nonforcible	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Liquor-Law Violations	5	1	0
Drug-Abuse Violations	0	1	0
Weapons Possessions	1	1	0
Hate Crimes	0	0	0
Damage to Property	17	0	1
Intimidation	4	11	0
Theft	10	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

2012 Crime Statistics for FVTC			
Category	Appleton	Oshkosh	Regional Learning Centers
Murder/non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses - Forcible	0	0	0
Sex Offenses - Nonforcible	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Liquor-Law Violations	9	0	0
Drug-Abuse Violations	3	1	1
Weapons Possessions	4	0	0
Hate Crimes	0	0	0
Damage to Property	27	4	2
Intimidation	11	5	0
Theft	13	6	1

Registered Sex Offenders

If you seek information regarding the sex offender status of any individual employed or enrolled at Fox Valley Technical College, please contact Security Services at (920) 735-5691 and request this information. You may also visit the Wisconsin Sex Offender Registry website at <http://doc.wi.gov/community-resources/wi-sex-offender-registry>

Daily Log

Fox Valley Technical College's Security Services department maintains a daily log of crimes and incidents that occur on campus that is accessible to the public. This report may be found on line at www.fvtc.edu, tab My FVTC, tab Campus Resources, tab Campus Safety. Reports of incidents are maintained on the college's Maxient software system. This system contains reports on behavioral alerts, issues and concerns, medical calls, security calls and academic alerts and concerns. Information on crime and incidents which occur on our satellite campuses will become available when reports are submitted from the local law enforcement agency.

Crime Reporting Options

Security Services along with the assistance of local law enforcement agencies will respond to and investigate all crimes which occur on any of the college campuses. It is the policy of Security Services to encourage accurate and prompt reporting of all crimes to the department or the appropriate local police authority. Students, staff or patrons involved in or witnessing a crime should contact Security Services immediately by texting security@fvtc.edu, calling 920-735-5691, or filling out an incident report at www.fvtc.edu/MyFVTC, tab Campus Resources and Campus Safety.

If it is an emergency, call 920-735-4777 or if Security Services is not available on the campus, call 911.

Please note that individuals who wish to report a crime on a voluntary and confidential basis should contact the following offices: Counseling Services in Appleton at (920) 735-5696. In Oshkosh, students should contact Brian Bidwell at (920) 236-6107.

Information regarding these crimes may be shared with Security Services for crime prevention and/or statistical purposes but no formal investigation will be initiated. Counseling staff who learn about the commission of a crime will notify those student(s) that information regarding these crimes may also be reported to the Manager of Student Conduct on a voluntary, confidential basis for inclusion in the college's crime statistics only.

Safety Prevention Programs

Fox Valley Technical College provides information to students and employees on campus security procedures and practices, protecting themselves and encouraging them to be responsible for their own security and the security of others. The following programs and information are part of the college's safety prevention.

- Security Services provides a safety escort service during hours the Appleton and Oshkosh Riverside campuses are open. Individuals may stop in Security Services, use the in-house phones or call (920) 735-5691.
- Security cameras are located in several locations indoor and outdoor at the Appleton, Public Safety Training Center, Oshkosh Riverside, SJ Spanbauer, Automated Manufacturing Technology Center, FabTECH, Chilton, Clintonville and Waupaca locations.
- A text messaging system is in place for notification of emergencies. The text messaging system is used for situations which pose an on-going or immediate threat, as well as notification of campus closure. Students and staff may sign up for this on a volunteer basis. Information is posted on the Campus Safety website.
- An email is sent to all students and staff for notification of emergencies which pose an on-going or immediate threat.
- Emergency procedures literature is located in each classroom and various locations throughout the campus.
- The Student Handbook/Calendar is updated and distributed annually to students with college and safety policies and procedures.
- Welcome Days and the online new student registration provides information on campus safety.
- An Enhanced 911 room locator system is used for emergency personnel to immediately have a room number and location finder if an emergency phone call is placed from the room.
- A Campus Safety web site is accessible for all students, employees and visitors to review. This site includes information on preventative processes in place at the college, including the role and membership of the Behavioral Intervention Team.
- Sessions are offered by the college's Training and Development department for staff which address campus safety, workplace violence, student conduct, sexual assault, classroom management and sexual harassment for professional development.
- The college's Counseling Services provides personal counseling and support services to students as well as an AODA certified counselor to address alcohol and other drug abuse issues.

- A Behavioral Intervention Team is on call for emergency situations and meets on a weekly basis to discuss current issues.
- The college has an Emergency Response and Preparedness Plan. This includes a 911 Emergency Communication Plan. These are available to any interested individuals by contacting Security Services.
- The college schedules both fire and tornado drills several times a year.
- A required Work Place Violence Preparedness training session for all staff will continue to occur during the 2014-2015 academic year.

Behavioral Intervention Team

The Behavioral Intervention Team has been in existence at FVTC since 2009. Originally the team was comprised of staff from Security Services, Counseling and Student Life. In 2011, it was expanded to include representatives from Counseling, Educational Support Services, Faculty, Educational Support Personnel, Management, Minority Services and Student Life. This group meets on a bi-weekly basis and in case of an emergency.

The purpose of this team is to provide a cross-functional, multidisciplinary point of contact for members of the college community who have encountered student behavior that they perceive as aberrant, threatening or dangerous. The team aims to track "red flags" in student behavior in order to identify individual or group behavior patterns or disturbances. The cross-functional team will then use resources to conduct an investigation, perform a threat assessment and determine the best ways to support and/or intervene to promote the success of individual students and the safety of the overall campus community. The team will act promptly to follow-up with the individual initiating the report and determine a plan of action.

Actions taken by the team could include the following:

- Assisting faculty with appropriate intervention strategies
- Assist in writing a Behavioral Success Plan
- Provide resources for students and staff
- Impose educational sanctions
- When indicated, recommending suspension of a student until the student has been assessed, treated and doctors indicate the student is not a risk to themselves or others

Sexual Assault, Domestic Violence, Stalking and Dating Violence

Fox Valley Technical College is committed to ensuring that members of the campus community conduct themselves in a manner that does not infringe upon the rights of others and to maintain a campus free from sexual misconduct. Fox Valley Technical College has policies, procedures and resources in place to help accomplish this goal.

Fox Valley Technical College Sexual Misconduct Policy and Procedure

The Violence Against Women Reauthorization Act of 2013 enacted by the Federal government directs colleges and universities to specify procedures as related to domestic violence, dating violence, sexual assault or stalking incidents when reported.

The Sexual Misconduct Policy and Procedure are located on line at www.fvtc.edu. To access them, type in “sexual misconduct policy” in the search bar, and tab Sexual Misconduct Policy. This page provides information on the reporting and investigative process, rights as a student, available campus and community resources and other information related to sexual misconduct and harassing behavior.

The updated policy and procedures were implemented in the summer 2015 academic term. Staff have begun mandatory training and students are being presented with training through on-line offerings, Student Life Department educational presentations and other campus efforts.

Wisconsin statutes recognize that sexual assault, and harassment are serious criminal offenses. It is important for all members of the college to understand how these offenses are defined in law, and to be aware of the penalties. Excerpted below are the definitions and of some relevant Wisconsin statutes.

Links to Relevant Wisconsin State Statutes

The following Wisconsin State Statutes are linked to the Revisor of Statutes Bureau www.legis.state.wi.us/rsb/stats.html; search under Folio Format by entering the statute number (i.e. 940.225 or 36.12).

36.12 Student discrimination prohibited

968.075 Domestic Violence

940.32 Stalking

947.013 Harassment

940.225 Sexual assault

940.22 Sexual exploitation by therapist; duty to report

948.02 Sexual assault of a child

948.025 Engaging in repeated acts of sexual assault of the same child

939.50 Classification of felonies

939.51 Classification of misdemeanors

939.52 Classification of forfeitures

950.04 Basic bill of rights for victims and witnesses
950.055 Child victims and witnesses; rights and services

Alcohol and Other Drug Information

FVTC Alcohol/Drug Abuse Policy Philosophy Statement

Fox Valley Technical College recognizes that the misuse and abuse of alcohol and other drugs is becoming increasingly commonplace and in certain instances leads to dependency. It also recognizes that such chemical dependency is a serious illness. Chemical dependency interferes with academic achievement and work performance for both students and employees. FVTC is committed to a drug-free environment that includes education, intervention, referral and treatment.

Policy Statement

Fox Valley Technical College is committed to upholding all local, state, and federal laws concerning the use and abuse of alcohol and other drugs and will support all efforts of the campus community to confront violations of these laws.

1989 Wisconsin Act 121 requires that local WTCS District Boards adopt rules relating to possession of drug paraphernalia and subjecting WTCS students to disciplinary action for drug offenses. In addition, the Drug-Free Schools and Community Acts Amendments of 1989 (Public Law 101-226) requires institutions to sign a certification of compliance with the law in order to receive any federal funds. An institution must adopt and implement a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. Such policy must be distributed annually to each student and employee.

FVTC College Policies

Unlawful possession, use, sale, or distribution of controlled substances, illicit drugs, or alcohol by any student, employee, or vendor on College property or at any College-sponsored activity is strictly prohibited.

For off-campus college-sponsored activities, alcohol use is prohibited during the time in route to and from the activity and during the time of the college-sponsored activity as defined by the student organization advisor.

Drugs prescribed by a physician, dentist, or other person licensed to prescribe or dispense controlled substances or drugs used in accordance with their instructions are not subject to this policy. Students and staff using any substances, drugs, or medicines that cause drowsiness or other side effects that may impair their ability to perform their task properly and safely are obligated to inform his/her supervisor and/or his/her instructor of such medications. Staff will not allow students to operate equipment or perform activities

that have the potential for injury to themselves or others if they suspect a student to be impaired.

No student or employee shall be under the influence of alcohol and/or illegal substances or in possession of any drug paraphernalia on college premises or at any college-sponsored activity.

The use of any beverage containing alcohol, which includes beer or other malt beverages, wine, wine coolers, or distilled beverages, on FVTC premises is prohibited with the exception of preparation and cooking of foods in the culinary arts courses, providing of beverages by FVTC Food Service at functions authorized by the President of the College, and controlled use in law enforcement training. No alcohol will be provided by the College at any other College-sponsored activities.

Staff permission will not be given for any person to operate a motor vehicle while impaired. If transportation is needed, arrangements for alternative transportation will be made, i.e., a ride with a friend, family member, cab, etc. Failure to cooperate with such arrangements will be documented and will be submitted to the appropriate vice president or division dean (Appleton campus), campus director (Oshkosh), or regional center manager (hereafter referred to as Administrator).

Because of the potential dangers to a person presented by his/her acute intoxication with alcohol or other drugs, individuals exhibiting evidence of acute intoxication, incapacitation, or a drug overdose on campus or at any college-sponsored activity will be transported immediately to the local hospital or facility designated to provide detoxification services. Following his/her return, disciplinary procedures as outlined in the policy will be followed.

Procedures for Disciplinary Action

Violations of these policies will result in disciplinary action up to and including expulsion from school or termination of employment. Illegal violations will be reported to law enforcement.

Students

Any student violating these policies or showing behavioral evidence of alcohol or other drug abuse will be referred to the college conduct officer.

1. **First Offense:** Law enforcement may be contacted immediately upon verification of any illegal violation(s). The student violating this policy for the first offense may result in disciplinary action up to and including suspension and/or expulsion from school. The conduct officer may reduce or alter the disciplinary action if:

- a. The student agrees to see the Alcohol, Tobacco and Other Drug Abuse (ATODA) Prevention Facilitator and follows his/her recommendations satisfactorily; OR,
- b. The student agrees to an alcohol/drug assessment provided at a State-approved alcohol/drug agency in the community and conducted by a certified Alcohol/Drug Abuse Counselor, and follows his/her recommendations (all non-school counseling and treatment costs related to this policy shall be the responsibility of the student);

2. **Second Offense:** Law enforcement will be contacted immediately upon verification of any illegal violation(s). The Administrator will recommend expulsion to the Building Expulsion Committee which will consist of the lead teacher from the Division in which the offense(s) occurred, the Conduct Officer, the Registrar, the ATODA Prevention Facilitator, a representative of Student Government, and the Administrator. Due process procedures will be followed. The Administrator or the Building Expulsion Committee may hold a recommendation for expulsion in abeyance if:

- a. The student agrees to see the ATODA Prevention Facilitator and follows his/her recommendations satisfactorily; OR,
- b. The student agrees to an alcohol/drug assessment provided at a state-approved alcohol/drug agency in the community and conducted by a certified Alcohol/Drug Abuse Counselor, and follows his/her recommendations (all non-school counseling and treatment costs related to this policy shall be the responsibility of the student); Should a student fail to demonstrate compliance with assessment recommendations and/or satisfactory progress in recommended services, the original consequence may be enforced.

3. All school staff members are expected to refer to the Administrator:

- (a) Any student who they witness in violation of this policy.
- (b) Any student exhibiting signs, symptoms, or indications of an alcohol or other drug related problem.
- (c) Any student whose self-disclosed alcohol/drug related behavior places them or others at risk or in imminent danger.

4. Students may also be referred directly to the ATODA Prevention Facilitator/Student Assistance Program (SAP) through self-referral or referral by peers, parents, community representatives, or by staff who are concerned about a student who exhibits a definite and

repeated pattern of unacceptable school performance and who has not responded positively to usual and customary attempts to correct it.

5. All contacts with the ATODA Prevention Facilitator and the Student Assistant Program will be handled sensitively and confidentially.

6. Except for witnessed violations, a student who is referred to the ATODA Prevention Facilitator and the SAP through other means will not be liable to suspension or any other disciplinary action for behavior which occurs prior to referral unless the student discloses conduct already reported as a witnessed violation.

7. Participation in the Student Assistance Program is voluntary. At all times, it is the prerogative of the student to accept or reject referral to the ATODA Prevention Facilitator/SAP or to community-based services.

(a) Regardless of whether a student accepts or rejects assistance, it remains his/her responsibility to bring school performance up to acceptable levels or face such corrective or disciplinary actions as may be warranted.

(b) If a student accepts treatment for chemical dependency, that fact will be regarded as it is for any other illness with respect to the student's rights, benefits and privileges.

(c) Any student judged to present a risk of imminent danger to him/herself or others may be removed from the school pending the results of a professional evaluation.

8. Records of the student's participation in the SAP will not become part of the student's permanent record or cumulative file.

9. Protection from liability will be extended to all staff to the extent that they act in accordance with this policy and observe the procedures consistent with it established within their respective buildings.

10. The responsibility for operating the SAP will be in the hands of the ATODA Prevention Facilitator.

Employees

1. The College recognizes alcohol/drug dependency as a major health problem. Employees needing help with such problems are encouraged to use the Employee Assistance Program voluntarily. Conscientious efforts to seek such help will not jeopardize any employee's job or appear on their personnel record.

2. Employees must, as a condition of employment, report any conviction under a criminal drug statute for a violation occurring on or off college premises while conducting college business. A report of the conviction must be made to the Vice President-Human Resource Development within five (5) days after the conviction. (This requirement is mandated by the Drug Free Workplace Act of 1988.) Failure to provide this notification in the required timelines will result in immediate termination.

3. Any employee violating these policies or showing behavioral evidence of alcohol or other drug abuse shall be referred to their immediate supervisor. In addition to following the progressive disciplinary steps outlined in the master agreement, the supervisor will refer the employee to the Employee Assistance Program.

4. FVTC will notify the federal granting agency within ten (10) days after receiving notice of the employee's conviction.

5. As a condition of continued employment, any employee convicted under a criminal drug statute must participate in and complete a drug abuse assistance or rehabilitation program.

6. Drug testing shall not be required of employees, except as otherwise required by federal statutes, rules, or regulations such as the Department of Defense Contract Rules, Department of Transportation Rules, Federal Highway Administration, FAA, Federal Railroad Administration, Urban Mass Transportation Administration, Research and Special Projects Administration, NRC, or the like, or as required by contracting organizations operating under such rules.

Written Documentation for Specific Programs

Written documentation which specifically outlines the controlled use of alcohol in both Food Services and Law Enforcement courses shall be maintained on file in the office of the College President. In addition, written documentation which specifically outlines the display of illicit drugs and drug paraphernalia, as defined by Wisconsin Statutes, in Law Enforcement training programs shall be maintained on file in the office of the College President.

Policy Addendum for Under Age 18 Students Under Contract

Students under the age of 18 attending Fox Valley Technical College through a contracted service [(including but not limited to Wis. Statute 118.15 (Alternative High School), Wis. Statute 118.55 (Youth Options), and Wis. Statute 101.265 (Youth

Apprenticeship),] who are suspected of using a chemical, alcohol, or other drug on FVTC owned or leased properties, shall be subject to the following procedure.

Procedure of Under Age 18 Students Under Contract

Any suspicion of alcohol or drug use, being under the influence of alcohol or drugs, or in possession of alcohol or drugs on FVTC owned or leased premises (including parking lots) will result in the following procedure:

The instructor reporting the suspicion would refer to Security Services or the College Conduct Officer.

Security Services and/or the College Conduct officer will work in collaboration with the manager of the contracted program to:

- Notify the student's high school.
 - The student may be suspended or removed from the program until the home high school policies & procedures have been followed,
 - Schedule a conference before reentry is considered,
 - Establish a behavioral agreement which is signed by all appropriate parties.
- Expulsion from FVTC may occur if above steps are not taken.

Because of the potential dangers to a person presented by his/her acute intoxication with alcohol or other drugs, individuals exhibiting evidence of acute intoxication, incapacitation, or a drug overdose on campus or at any college-sponsored activity, Security Services will be notified immediately. The student may be transported immediately to the local hospital or facility designated to provide detoxification services. College disciplinary procedures will be followed for continued enrollment.

Applicable Legal Sanctions Under State And Federal Law

Wisconsin Statutes and Legal Sanctions

The Uniform Controlled Substances Act, Chapter 961 of the Wisconsin Statutes, regulates controlled substances and outlines specific penalties for the violation of the regulations. A first-time conviction for possession of a controlled substance can result in a sentence of up to one year in prison and a fine of up to \$5,000. Sec. 961.41(3g), Stats. A person convicted of manufacturing a controlled substance, delivering a controlled substance, or possessing a controlled substance with an intent to manufacture or deliver, can be imprisoned for up to 30 years and fined up to \$1,000,000. Secs. 961.41(1) and (1m), Stats. Penalties vary according to the type of drug involved, the amount of drug confiscated, the number of previous convictions, and the presence of any aggravating factors. The distribution of a controlled substance to a minor can lead to the doubling of an authorized sentence term. Sec. 961.46, Stats. Wisconsin has formidable legal sanctions

that restrict the use of alcohol in various situations. It is illegal to procure for, sell, dispense or give away alcohol to anyone who has not reached the legal drinking age of 21 years. Sec. 125.07(1)(a)(1), Stats. Every adult has a legal obligation to prevent the illegal consumption of alcohol on premises owned by the adult or under the adult's control. Sec. 125.07(1)(a)(3), Stats. A first-time violator of either of the above subsections can be fined up to \$500. It is against the law for an underage person to procure or attempt to procure an alcoholic beverage, to falsely represent his or her age for the purpose of obtaining alcohol, to enter premises licensed to sell alcohol, or to consume or possess alcohol on licensed premises. Sec. 125.07(4)(a), Stats. A first-time underage violator of Section 125.07(4)(bs), Stats., can be fined up to \$500, ordered to participate in a supervised work program, and have their driver's license suspended.

Federal Laws and Federal Legal Sanctions

Pursuant to federal law, the United States Sentencing Guidelines establish mandatory minimum penalties for categories of drug offenses and provide for penalty enhancements in specific cases. Under these federal guidelines, courts can sentence a person for up to 6 years for unlawful possession of a controlled substance, including the distribution of a small amount (less than 250 grams) of marijuana; a sentence of life imprisonment can result from a conviction of possession of a controlled substance that results in death or bodily injury; and, possession of more than 5 grams of cocaine can trigger an intent to distribute penalty of 10 –16 years in prison.

Federal Penalties and Sanctions for Illegal Possession of Controlled Substances

21 U.S.C. 844(a)

1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.

21 U.S.C. 853(a)(2) and 881(a)(7) Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack, above.)

21 U.S.C. 881(a)(4) Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844a Civil fine of up to \$10,000.

21 U.S.C. 862 Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

18 U.S.C. 922(g) Ineligible to purchase, receive or transport a firearm. Miscellaneous Revocation of certain Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

Note: These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.

Resources for Help Off Campus

- AA/Narcotics Anonymous -- (920) 731-4331, 1-866-635-8854 or 1-800-711-6375
- Al-Anon/Alateen – 1-888-425-2666, or (414) 257-2415 Calumet County Crisis Line -- (920) 849-9317 or 832-4646 (Appleton)
- ThedaCare at Work Employee Assistance Program, (920) 749-2390 or 1-800-236-3666, (For employees and family members of FVTC)
- Outagamie County Crisis Line, (920) 832-4646
- Winnebago County Crisis Line, (920) 722-7707, (920) 233-7707
- Waupaca/Waushara County Crisis Line, 1-800-719-4418

In the Fox Valley area, there are a variety of alcohol and other drug information, prevention, intervention and treatment programs/services. Consult your local telephone directory yellow pages under alcoholism for professional services available in your area.

Resources On Campus

If you are concerned about your own use or a friend/family member's use, confidential help is available through FVTC's Counseling Services at no cost. Individuals can call (920) 735-5696 on stop in Counseling Services on the Appleton campus to make an appointment or contact Student Services to set up an appointment with a counselor in Oshkosh.

Health Effects of Alcohol & Other Drugs Summary

The abuse of alcohol and the use of other drugs is detrimental to the health of the user. Further, the use of drugs and alcohol is not conducive to an academic atmosphere. Drugs impede the learning process and can cause disruption for other students and disturb their academic interests. The use of alcohol or drugs in the workplace may also impede the employee's ability to perform in a safe and effective manner, and may result in injuries to others. Early diagnosis and treatment of drug and alcohol abuse is in the best interests of the student, employee and the college. For additional information concerning the health risks associated with substances covered by the Controlled Substances Act, refer to the chart on pages 24–25 of the U.S. Department of Justice publication, Drugs of Abuse, 1996 edition.

