

POLICY TYPE: Administrative
POLICY TITLE: Sexual Misconduct

Responsible Administrator:	Executive Vice President/CSSO Student Development & Success
Location of Related Procedures:	Office of Executive Vice President/CSSO Student Development & Success Office of Dean of Students Office of Public Safety Office of Human Resources

General Policy Statement

Madison College strives to provide an educational environment that preserves the safety and dignity of each member of our community. In order to foster a climate of respect for all, and provide for the safety and security of our community, Madison College expects community members to take appropriate action to prevent acts of sex-based discrimination, to include sexual misconduct. Sexual misconduct is a broad term that identifies forms of discrimination and harassment based on sex including, sexual harassment, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking. Sexual misconduct includes other acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. Creating a safe campus environment is the responsibility of all members of the college community, both individually and collectively. Madison College prohibits acts of sex and gender based discrimination, to include sexual misconduct. For discriminatory harassment of a non-sexual nature or gender-based nature, see [policy #418](#).

POLICY SCOPE

This policy applies to students, employees, and third parties; and it applies both to on-campus and off-campus conduct that would impact the learning environment. In addition to behaviors that occur at college related and/or sponsored events, off-campus behaviors that have an actual or potential adverse impact on any member of the college community or Madison College, fall under this policy. Madison College prohibits retaliation in connection with any reports of possible sexual misconduct.

Standard of Responsibility and Sanctions

The preponderance of evidence standard is used when addressing allegations of sexual misconduct. When a violation is found, Madison College will take prompt corrective action and impose appropriate sanctions. The specific sanction will depend on the type of conduct, severity, and other factors of misconduct.

Specific Rights Afforded to Victims of Sexual Misconduct

Madison College complies with federal, state and local laws, including the reporting of crimes to law enforcement authorities. Federal law entitles victims of sexual misconduct specific rights (see this policy's procedures for victim's rights).

Consent

Wisconsin law defines consent as words or overt actions by a person who is competent to give informed consent. 940.225 (4). Consent is informed, freely and actively given, and mutually understood permission/agreement. If physical force, coercion, intimidation, and/or threats are used, there is no consent. If a person is mentally or physically incapacitated or impaired so that they cannot understand the sexual situation, there is no consent. This includes impairment due to alcohol or drug consumption and being asleep or unconscious. (See this policy's procedures for definitions of other relevant terms.)

The Madison College [Consensual Relationships Policy \(#424\)](#) prohibits college employee involvement in amorous or sexual relationships with students who are enrolled in one's classes or subject to one's supervision, even when both parties appear to have consented to the relationship.

Role of the Title IX Coordinator & Deputies

Madison College's Title IX Coordinators are the College's officials with responsibility for coordinating Madison College's efforts to comply with and carry out the requirements under Title IX and all associated regulations; including the centralized review, investigation, and resolution of reports of Title IX complaints.

The Title IX Coordinators oversee and coordinate the actions of the Deputy Title IX Coordinator/Compliance Officer. The Deputy Title IX Coordinator/Compliance Officer is responsible for Title IX compliance in matters involving students, community members or college employees through education and training, overseeing grievance procedures and assuring prompt and thorough response to all incidents of sexual misconduct.

Title IX Coordinators and Deputy Coordinator/Compliance Officer who can offer assistance with reports of sexual misconduct include:

Deputy Title IX Coordinator – Students & Community Members | Geraldo VilaCruz, Ph.D.
Dean of Students
Student Development and Success
(608)-246-6442

Title IX Coordinator – Employees | Rosemary Buschhaus, JD, SPHR, SHRM-SCP
Director of Employment and Employee Relations
Office of Human Resources
(608) 246-6904

Deputy Title IX Coordinator/Compliance Officer | Lisa Delany, MS
Associate Dean of Students
Student Development and Success
(608) 246-5221