

MOUNT MARY UNIVERSITY 2023

ANNUAL SECURITY AND FIRE SAFETY

REPORT

INTRODUCTION

Mount Mary University publishes this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This act requires colleges and universities to:

1. Publish an annual report containing three years of crime statistics and certain campus security policy statements.
2. Disclose crime statistics for the campus, public areas immediately adjacent to campus and specific non-campus facilities. These statistics are compiled from campus security, local law enforcement and other university officials who have responsibility for student and campus activities.
3. Provide campus safety alerts pertaining to crimes that have been committed and pose an ongoing threat to students and staff.
4. Maintain a daily crime log that contains any reported crimes occurring on campus.

Recent amendments by the Higher Education Opportunity Act and Violence Against Women Reauthorization Act of 2013 require new campus safety requirements in the following areas: hate crime reporting and emergency response, evacuation procedures, sexual assault, missing student notification and fire safety issues. This report is prepared in cooperation with other university departments. The Milwaukee and Wauwatosa Police Departments also provide information concerning crime statistics for inclusion in the report. The Mount Mary University annual crime statistics can be viewed, or copies of the report can be requested by calling the Public Safety Office at (414) 930-3333.

PUBLIC SAFETY

Mount Mary University employs Public Safety officers to patrol the campus and assist students and employees. The Public Safety Office is located in room 79 Bergstrom Hall and provides protection and service to the Mount Mary community by foot and vehicular patrol 24 hours a day, 365 days a year. The goal is to provide a safe and secure environment in which to work, live and learn. Public Safety Officers have experience and receive training in the areas of safety and security. The officers are trained and certified in CPR and AED. The officers provide a highly visible security presence through patrols of the campus and monitor an extensive network of cameras located throughout the campus. Officers monitor changing landscape and lighting conditions that affect safety. They are available to respond and aid during emergency situations.

AUTHORITY OF PUBLIC SAFETY STAFF

Mount Mary University has a mandatory identification policy for all students, staff, and faculty. Public Safety officers have the authority to ask persons for identification and to determine whether individuals have lawful business at Mount Mary University. Public Safety officers also have the authority to enforce campus regulations, as well as issue parking tickets. Public Safety officers do not have powers of arrest. Criminal incidents are referred to the Milwaukee Police Department, which has jurisdiction on the campus. All crime victims and witnesses are strongly encouraged to immediately report the crime to Public Safety and the Milwaukee Police Department. Prompt reporting will assure timely warning notices on campus, and timely disclosure of crime statistics.

MEMORANDUM OF UNDERSTANDING

Mount Mary University Public Safety has a close working relationship with the Milwaukee Police Department. While criminal incidents that occur on campus are referred to the Milwaukee Police Department for investigation, as Mount Mary University is in their jurisdiction, a written Memorandum of Understanding regarding the response and investigation of criminal activities is not in place at this time.

REPORTING CRIMES AND EMERGENCIES

Members of the University community are encouraged to promptly report any criminal activity or emergency they observe. Reporting may be done by contacting the Public Safety Office at 414-930-3333 or 414-807-9560, or a Campus Security Authority (see below). The Public Safety Department can serve as a liaison between Mount Mary University students and staff, and the Milwaukee Police Department and other local law enforcement agencies.

CAMPUS SECURITY AUTHORITIES

Campus Security Authorities (CSAs) are individuals responsible for campus security (in addition to Public Safety Officers) to which students and employees may report criminal offenses to. CSAs have significant responsibilities for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. They have been instructed as to the process for reporting criminal offenses. The following is a list of positions that are designated CSAs:

- University President
- Vice President of Academic Affairs
- Vice President of Student Affairs

- Vice President of Finance and Administration
- Vice President of Development
- Vice President of Enrollment
- Vice President of Mission & Justice
- Dean of Student Success
- Director of Student Life
- Director of Human Resources
- Director of Athletics
- Director of Buildings and Grounds
- Director of Information Technology
- Director of Public Safety
- Asst. Director of Student Engagement
- Asst. Director of Residence Life
- Title IX Coordinators
- Title IX Investigators
- Resident Assistants
- Residence Hall Desk Staff

PROFESSIONAL COUNSELORS

Campus “Professional Counselors”, when acting as such, are not considered to be campus security authorities, and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if they deem appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

VOLUNTARY/CONFIDENTIAL REPORTING

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Director of Public Safety or designee can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the university can keep an accurate record of the number of incidents involving students, determine whether there is a pattern of crime regarding a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the university.

DAILY CRIME LOG

The Public Safety Office maintains a Daily Crime Log that records all crimes and other serious incidents reported to Public Safety. This includes crimes that occurred on campus, in or on non-campus university owned buildings, or on public property within the campus or immediately adjacent to and accessible from the campus. The log includes the nature, date, time, and general location of each crime reported to the office, as well as the disposition of the complaint. The Daily Crime Log is available for public inspection during normal business hours, at the Public Safety Office in Room 79 of Bergstrom Hall.

ACCESS POLICY FOR CAMPUS FACILITIES

During business hours, Mount Mary University campus buildings (except Caroline Residence Hall) are open to students, parents, faculty, staff, contractors, guests, and invitees. Residence Hall floor entrance doors are locked 24 hours a day. During non-business hours access to university facilities is by key, if issued, or by admittance via the Public Safety Department, or other authorized staff. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Bloechl Fitness Center and Haggerty Library. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Mount Mary University employs its own staff for regular building maintenance and repair of doors, windows, lighting, and related safety items. Care is taken to ensure keys are issued only to appropriate faculty, staff, and students. Public Safety staff is responsible for the daily locking and unlocking of most campus buildings and maintains a contact listing for on-call facilities staff for after-hours response to facilities issues.

VIOLENCE AGAINST WOMEN ACT (2013)

Mount Mary University prohibits all forms of Sexual Misconduct, including Sexual Assault, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Sexual or Gender-Based Harassment, and Retaliation (together “Sexual Misconduct”). These crimes will not be tolerated on campus and are a violation of Wisconsin law as well as the Title IX/Sexual Misconduct Policy.

The institution will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the institution’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 institution 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 institution 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.

If you are a victim of a sexual assault, dating violence, domestic violence, or stalking, your priority should be to get to a place of safety. You should then obtain necessary medical treatment. A victim is strongly encouraged to report the incident in a timely manner to local law enforcement and campus officials by phone or in person. Public Safety Officers and Campus Safety Authorities can assist the victim in doing so or advise of his/her right to decline to notify authorities. However, time is a critical factor for evidence collection and preservation. The preservation of evidence may assist in proving a criminal offense occurred or may be helpful in obtaining a protection order. Reporting to law enforcement officials allows them to provide additional information regarding temporary restraining orders, injunctions, or other lawful orders.

The State of Wisconsin is committed to the preservation of Victim's Rights. They are as follows:

- To be treated with fairness, dignity, and respect for your privacy.
- To not have personal identifiers including email disclosed or used for a purpose unrelated to the official duties of an agency, employee or official.
- To be informed of your rights and how to exercise those rights.
- To information regarding the offender's release from custody.
- To be notified of a decision not to prosecute if an arrest has been made.
- To speak with (confer) the prosecutor representative upon your request, about the possible outcome of the case, potential plea agreements and sentencing options.
- To attend court proceedings in the case.
- To be notified of the time, date, and place of upcoming court proceedings, if you so request.
- To be provided with a waiting area separate from defense witnesses.
- To a speedy disposition of the criminal case.
- To have your interest considered when the court is deciding to grant a request for a delay (continuance).
- To be notified if charges are dismissed.
- To be accompanied to court by a service representative. This right is limited to specific types of crimes.
- To ask for assistance with your employer if necessary, resulting from court appearances.
- To request an order for, and to be given the results of, testing the offender for sexually transmitted diseases or HIV. This right is limited to specific types of crimes.
- To provide a written or oral victim impact statement concerning the economic, physical, and psychological effect of the crime upon you to be considered by the court at sentencing.
- To have the impact of the crime on you included in a presentence investigation.
- To be provided sentencing or dispositional information upon request.
- To restitution as allowed by law.

- To a civil judgment for unpaid restitution.
- To compensation for certain expenses as allowed by law.
- To have your property expeditiously returned when it is no longer needed as evidence.
- To be notified of the offender's eligibility for parole and to have input into the parole making decision.
- To be notified by the Department of Corrections of specific types of releases, escapes or confinements as provided by law.
- To be notified of a pardon application to the governor and to make a written statement regarding the pardon application
- To contact the Department of Justice about any concerns you may have about your victim rights.

The University is committed to providing safe and non-discriminatory learning, living, and working environments for all members of the Mount Mary community. The University will also provide written notification to students and employees about evidence preservation, existing counseling, health, mental health, victim advocacy, legal assistance (law enforcement investigations, Restraining Order/Injunction information), visa and immigration assistance, student financial aid and other services available for victims, both within the institution and in the community. The University will also maintain a file for orders of protection, “no contact” orders, restraining orders, or similar lawful orders issued by a criminal, civil or tribal court, and will assist in the investigation and reporting of any such violations.

The University provides training for safe and positive options for bystander intervention, to include, but not limited to the following strategies: Direct, Distract, Delegate, Delay and Document.

The University also provides information on risk reduction, to include, but not limited to the following strategies: Promoting protective social norms, teaching related survival skills, empowering, and supporting women, creating protective environments, and supporting victims/survivors.

The Clery Act and the Violence Against Women Act mandates that Mount Mary University provide domestic violence, dating violence, sexual assault, and stalking definitions applicable in its jurisdiction. It is important for all members of the University community to understand how these offenses are defined in law and to be aware of the penalties. Excerpted below are the definitions and penalties of sexual assault, domestic/dating violence, and stalking. Also included are the definitions of consent, sexual contact, and sexual intercourse.

Wisconsin statutes delineate guidelines for the use of evidence in court. Wisconsin Statutes section 972.11 prohibits the use in court of evidence of the victim’s past sexual conduct. There are three

exceptions to this prohibition. The judge may allow evidence of the victim's past conduct with the assailant; evidence that could show the source or origin of semen, pregnancy, or disease; or evidence of prior untruthful allegations of sexual assault made by the victim. Recent revisions in the law have allowed for further exceptions to be made at the judge's discretion. For more information on Wisconsin state law visit: <http://legis.wisconsin.gov/rsb/stats>.

Sexual Assault - Wis. Stat. 940.225:

First Degree Sexual Assault

Whoever does any of the following is guilty of a Class B felony. A person who commits a Class B felony can be imprisoned for up to 60 years:

- Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.
- 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 to reasonably believe it to be a dangerous weapon.
- 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.

Second Degree Sexual Assault

Whoever does any of the following is guilty of a Class C felony. The penalty a Class C felony is a fine of up to \$100,000 and/or imprisonment for up to 40 years:

- Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
- 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.
- Has sexual contact or sexual intercourse with a person who suffers from 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.
- 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.
- Has sexual contact or sexual intercourse with another person who the defendant knows is unconscious.
- 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.

- Is an employee of a facility or program under s. 940.295 (2) (b), (c), (h) or(k) and has sexual contact or sexual intercourse with a person who is a patient or resident of the facility or program.
- Has sexual contact or sexual intercourse with an individual who is confined in a correctional institution if the actor is a correctional staff member. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.
- Has sexual contact or sexual intercourse with an individual who is on probation, parole, or extended supervision if the actor is a probation, parole, or extended supervision agent who supervises the individual, either directly or through a subordinate, in his or her capacity as a probation, parole, or extended supervision agent or who has influenced or has attempted to influence another probation, parole, or extended supervision agent’s supervision of the individual. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.
- Is a licensee, employee, or non-client resident of an entity, as defined in s. 48.685 (1) (b) or 50.065 (1) (c) and has sexual contact or sexual intercourse with a client of the entity.

Third Degree Sexual Assault

Whoever has sexual intercourse with a person without consent of that person is guilty of a Class G felony. A person who commits a Class G felony can be fined not more than \$25,000 and/or not more than 10 years.

Fourth Degree Sexual Assault

Whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor. A person who commits a Class A misdemeanor can be fined up to \$10,000 and/or imprisoned for up to 9 months in the county jail.

Notes on Sexual Assault

Marriage is not a defense to sexual assault. A person may be prosecuted for assaulting his or her spouse. (Wis. Stat. 940.225 (6))

Consent - 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. The following persons are presumed incapable of consent, but the presumption may be rebutted by competent evidence:

- (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.

Notes on Consent

A person under 16 years of age is incapable of consent as a matter of law. Teens 16 and 17 years old can legally consent to sexual contact; however, they are deemed incapable of consenting to sexual intercourse as a matter of law. People who have a mental illness or deficiency, and people who are unconscious or physically unable to communicate, are assumed to be incapable of consent, but that assumption can be challenged in court.

Sexual Contact - Wis. Stat. s. 940.225(5) (b)

“Sexual contact” means any of the following:

1. 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 attempted battery:
 - 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.
2. 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.
3. 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.

Sexual Intercourse - Wis. Stat. s. 940.225(5) (b)

“Sexual intercourse” includes the meaning assigned under s. 939.22 (36) (requiring only vulvar penetration and not emission) as well as cunnilingus, fellatio or anal intercourse between persons or any other intrusion, however slight, of any part of a person’s body or of any object into the genital or anal opening either by the defendant or upon the defendant’s instruction. The emission of semen is not required.

Domestic Abuse - Wis. Stat. s. 813.12(1) (am)

(am) “Domestic abuse” means any of the following engaged in by an adult family member or an adult household member against another adult family member or adult household member, by an adult caregiver against an adult who is under the caregiver’s care, by an adult against his or her adult former spouse, by an adult with whom the individual has or had a dating relationship, or by an adult against an adult with whom the person has a child in common.

1. Intentional infliction of physical pain, physical injury, or illness.
 2. Intentional impairment of physical condition.
 3. A violation of s. 940.225 (1), (2) or (3). (Sexual assault)
 4. A violation of s. 940.32. (Stalking)
 5. A violation of s. 943.01, involving property that belongs to the individual. (Damage to property)
 6. A threat to engage in the conduct under sub. 1., 2., 3., 4., or 5. (See 1-5 above)
- (b) “Family member” means a spouse, a parent, a child, or a person related by blood or adoption to another person.
- (c) “Household member” means a person currently or formerly residing in a place of abode with another person.
- (cg) “Reasonable grounds” means more likely than not that a specific event has occurred or will occur.
- (cj) “Regular and direct contact” means face-to-face physical proximity to an individual that is planned, scheduled, expected, or periodic.
- (d) “Tribal court” means a court established by any federally recognized Wisconsin Indian tribe or band, except the Menominee Indian tribe of Wisconsin.
- (e) “Tribal order or injunction” means a temporary restraining order or injunction issued by a tribal court under a tribal domestic abuse ordinance adopted in conformity with this section.
- (ag) “Dating relationship” means a romantic or intimate social relationship between 2 adult individuals but “dating relationship” does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context. A court shall determine if a dating relationship existed by considering the length of the relationship, the type of the relationship, and the frequency of the interaction between the adult individuals involved in the relationship.

Note on Domestic Abuse: Under Wisconsin law, dating abuse is considered a form of domestic abuse.

Stalking - Wis. Stat. s. 940.32

(1) In this section:

- (a) “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 intent that the object be delivered to the victim.

10. Causing a person to engage in any of the acts described in subs. 1 to 9.

(2) 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.

(2e) 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 (sexual assault), 948.02 (sexual assault of a child), 948.025 (repeated acts of sexual assault to the same child), or 948.085 (sexual assault of a child placed in substitute care) or a domestic abuse offense, the actor engages in any of the acts listed in sub.(1)(a)1.to10. (see above) 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.

(2m) Whoever violates sub. (2) is guilty of a Class H felony if any of the following applies:

(a) The actor has a previous conviction for a violent crime as defined in s. 939.632(1)(e)1., or a previous conviction under this section or s. 947.013 (1r), (1t), (1v), or (1x) (harassment).

(b) The actor has a previous conviction for a crime, the victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within 7 years after the prior conviction.

- (c) The actor intentionally gains access or causes another person to gain access to a record in electronic format that contains personally identifiable information regarding the victim in order to facilitate the violation.
- (d) The person violates s. 968.31 (1) (interception and disclosure of wire, electronic or oral communications) or 968.34 (1) (use of pen register or trap and trace device) in order to facilitate the violation.
- (e) The victim is under the age of 18 years at the time of the violation.
- (3) Whoever violates sub. (2) is guilty of a Class F felony if any of the following applies:
 - (a) The act results in bodily harm to the victim or a member of the victim’s family or household.
 - (b) The actor has a previous conviction for a violent crime defined in s. 939.632(1)(e)1., or a previous conviction under this section or s. 947.013 (1r), (1t), (1v) or (1x) (harassment), the victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within 7 years after the prior conviction.
 - (c) The actor uses a dangerous weapon in carrying out any of the acts listed in sub. (1) (a) 1. to 9.
- (3m) A prosecutor need not show that a victim received or will receive treatment from a mental health professional in order to prove that the victim suffered serious emotional distress under sub. (2) (c) or (2e) (c).

Sexual Harassment - Wis. Stats. s. 111.32(13)

“Sexual harassment” means unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature.

“Sexual harassment” includes conduct directed by a person at another person of the same or opposite gender.

“Unwelcome verbal or physical conduct of a sexual nature“ includes but is not limited to the deliberate, repeated making of unsolicited gestures or comments of a sexual nature; the deliberate, repeated display of offensive sexually graphic materials which is not necessary for business purposes; or deliberate verbal or physical conduct of a sexual nature, whether or not repeated, that is sufficiently severe to interfere substantially with an employee’s work performance or to create an intimidating, hostile or offensive work environment.

SEXUAL ASSAULT & OTHER MISCONDUCT

**Mount Mary University
Policy Against Sexual Harassment and Associated Grievance Procedures¹**

SECTION 1. PROHIBITION OF DISCRIMINATION ON THE BASIS OF SEX

¹ This Policy is intended to comply with Title IX of the Education Amendments Act of 1972 (“Title IX”) and its regulations. To the extent that this Policy conflicts with Title IX or its regulations, Title IX and its regulations shall control.

Mount Mary University (“University”) promotes an atmosphere of care and respect grounded in the University’s core values, Christian principles, and mission to develop the whole person. As such, the University does not discriminate on the basis of sex in any of its education or employment programs or activities. Title IX of the Education Amendments Act of 1972 (“Title IX”), its regulations, and certain other federal and state laws prohibit discrimination in such a manner. Under Title IX, discrimination on the basis of sex includes sexual harassment.

Title IX’s requirement not to discriminate in any of the University’s education programs or activities applies to both students and employees and extends to both admission and employment. Inquiries about the applicability of Title IX and its regulations to the University may be referred to the University’s Title IX Coordinator, the Assistant Secretary for Civil Rights of the United States Department of Education, or both:

Title IX Coordinators:

Keri Alioto
Vice President for Student Affairs
Caroline Hall 145
2900 Menomonee River Parkway
Milwaukee, WI 53222
aliotok@mtmary.edu
Phone: (414) 930-3372

Tonya Vlasik Senior Director of Human Resources
Notre Dame Hall 252
2900 Menomonee River Parkway
Milwaukee, WI 53222
vlasikt@mtmary.edu
Phone: (414) 930-3139

Assistant Secretary for Civil Rights
U.S. Dept. of Education Office for Civil Rights
400 Maryland Ave., SW
Washington, D.C. 20202-1100
1-800-421-3481; 1-800-877-8339 (TDD)
OCR@ed.gov

The University is committed to fostering an environment free from discrimination on the basis of sex. To the extent that any other University policy regarding discrimination or harassment on the basis of sex (as defined by Title IX) conflicts with this Policy, this Policy shall control.

Any violation of this policy will not be tolerated in the University community.

Effective August 14, 2020, all reports or complaints of sexual harassment and all reports or complaints containing an allegation of sexual harassment shall be processed under this Policy.

SECTION 2. ROLE OF TITLE IX COORDINATOR

Contacting the Title IX Coordinator

The University has appointed two Title IX Coordinators to coordinate the University's efforts to comply with its responsibilities under Title IX. As of this Policy's most recent revision, the Title IX Coordinator's names and contact information are as follows:

Keri Alioto
Vice President for Student Affairs
Caroline Hall 145
2900 Menomonee River Parkway
Milwaukee, WI 53222
aliotok@mtmary.edu
Phone: (414) 930-3372

Tonya Vlasik
Senior Director of Human Resources
Notre Dame Hall 252
2900 Menomonee River Parkway
Milwaukee, WI 53222
vlasikt@mtmary.edu
Phone: (414) 930-3139

The Title IX Coordinator's name and contact information shall be provided to all applicants for admission, applicants for employment, students, employees, and any professional organizations required to receive notice under Title IX and its regulations. The Title IX Coordinator's contact information shall be prominently displayed on the University's website and in each handbook or catalog made available to the above-identified individuals and entities.

Any person may report sex discrimination, including sexual harassment, to the Title IX Coordinator by mail, telephone, or by electronic mail, using the contact information listed above, via the [Sexual Misconduct and Harassment Anonymous Report Form](#) on MyMtMary, or by any other means that result in the Title IX Coordinator receiving the person's verbal or written report. Reports can be made to the Title IX Coordinator at any time, including during non-business hours.

Responsibilities

The Title IX Coordinators oversee the University's compliance with this Policy and Procedure. The Title IX Coordinators and/or designated staff will:

- Perform all responsibilities as mandated under Title IX and its regulations.
- Perform all responsibilities as set forth under this Policy.

- Communicate with all members of the University community regarding applicable law and policy and provide information about how individuals may access resources and reporting options.
- Maintain and implement applicable University policies to ensure institutional compliance with applicable law.
- Ensure that all students and employees have access to education and training regarding Title IX, related provisions of the Clery Act, and prohibited conduct defined in this Policy.
- Direct the provision of any interim supportive and protective measures (including oversight of the failure to abide by an interim protective measure).
- Appoint investigators, decision makers, advisors, and facilitators of informal resolution processes and ensure that there is no bias or conflict of interest within these roles.
- Oversee the prompt and equitable investigation and resolution of formal complaints of sexual harassment, ensuring due process and full compliance with all regulations throughout the process.
- Maintain centralized records of all reports, investigations, and resolutions in accordance with applicable recordkeeping requirements

The Title IX Coordinator maintains broad oversight responsibility but may delegate responsibilities under this Policy to designated administrators or external professionals who will have appropriate training and experience. When used in this Policy, the term Title IX Coordinator may include an appropriate designee.

SECTION 3. KEY DEFINITIONS

Consent - positive cooperation involving an act of free will, in the absence of coercion, intimidation, force or threat of force.

A person cannot give consent if unable to comprehend what is going on. A person may not consent if they are unconscious, frightened, physically or psychologically pressured, or forced, intimidated, or impaired because of a psychological condition and/or intoxicated by use of drugs or alcohol.

Consent to one act does not imply consent to another. Silence and passivity do not equal consent. Sexual activity with someone whom one reasonably should know to be mentally or physically incapacitated (e.g., by alcohol or other drug use, unconsciousness, or blackout) is non-consensual. Incapacitation is a state wherein the person cannot make rational reasonable decisions because they lack the capacity to give knowing consent to sexual interaction. This includes a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or the consumption of a rape drug. Possession, use and/or distribution of a rape drug is prohibited, and administering such a drug to another student or employee is a violation of University policy.

Education Programs or Activities - include locations, events, or circumstances over which the University exercises substantial control over the respondent (the person against whom the complaint is filed) and the context in which sexual harassment occurs. Education programs or activities also include any building owned or controlled by a student organization that is officially recognized by the University. This includes but is not limited to:

- Classes (virtual and face-to-face), University-sponsored student activities, student organization-sponsored student activities, University-sponsored athletic events, and residence hall-sponsored activities.
- University buildings, all University grounds, University owned housing (i.e., Caroline Hall, Lorenz Place, Mary John Place, and spaces shared with the University (i.e., Trinity Woods)).

Respondent - an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Supportive Measures – non-disciplinary, non-punitive individualized services offered as appropriate to the complainant and/or the respondent, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. These measures cannot be unreasonably burdensome to the other party and are designed to restore or preserve equal access to the University’s education program or activity, protect safety of all parties or the University’s educational environment, or deter sexual harassment. Supportive measures may include:

- Counseling;
- Extensions of deadlines or other course-related adjustments;
- Modifications of work or class schedules;
- Campus escort services;
- Mutual restrictions on contact between the parties;
- Changes in work or housing locations;
- Leaves of absences;
- Increased security and monitoring of certain areas of the campus; and
- Other similar measures.

Responsible Employee(s) – University employees, including the Title IX Coordinators and all Deans, who have the authority to take corrective action with respect to sexual harassment.

SECTION 4. GRIEVANCE PROCEDURE FOR COMPLAINTS OF DISCRIMINATION ON THE BASIS OF SEX THAT DO NOT INCLUDE AN ALLEGATION OF SEXUAL HARASSMENT

Please refer to the University’s Equal Employment Opportunity Policy in the Employee Handbook and the Discrimination and Harassment Policy in the Undergraduate and Graduate Student Handbook, incorporated herein, for information regarding the University’s procedure for processing and responding to complaints of discrimination based on sex other than sexual harassment.

SECTION 5. PROHIBITION OF SEXUAL HARASSMENT

As set forth in Section 1, this policy prohibits discrimination on the basis of sex. Discrimination on the basis of sex includes sexual harassment.

Sexual harassment is defined by Title IX as conduct on the basis of sex that satisfies one or more of the following:

- A University employee conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct.
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
- Sexual assault, dating violence, domestic violence, or stalking.

Sexual assault is defined as an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation and includes the following classes of conduct: rape, sodomy, sexual assault with an object, fondling and incest.

Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic violence is defined as felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under Wisconsin's domestic or family violence laws, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Wisconsin.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

SECTION 6. REPORTS OF SEXUAL HARASSMENT

Reports of Sexual Harassment

All students and employees are encouraged to report violations of this policy to the University. The University also encourages victims of sexual harassment to talk to someone about what happened so they can get the support they need, and so the University can respond appropriately. Some of these resources are confidential (i.e., they do not trigger a response obligation under Title IX) while others are not confidential (i.e., they do trigger a response obligation from the University under Title IX).

Resources available to victims of sexual harassment include:

- **Contacting the Title IX Coordinator or any Responsible Employee.** Contact the Title IX Coordinator or any Responsible Employee (defined in Section 3 of this Policy). Speaking with the Title IX Coordinator or a Responsible Employee is not confidential and may trigger a response obligation from the University.
- **Filing an anonymous report.** File an anonymous report via the [Sexual Misconduct and Harassment Anonymous Report Form](#). This form is routed to the Title IX Coordinator, who will respond to the report in accordance with this Policy. Filing an anonymous report is not confidential and may trigger a response obligation from the University.

In order for the University to address concerns properly, it is important for the reporting individual to provide as many details as possible about the alleged sexual harassment. Persons choosing to file anonymous reports need to understand that there may be limits on the University's ability to address reports on an anonymous basis. The University does, however, take such reports seriously and will address reports to the greatest extent possible. Filing an anonymous report does not guarantee confidentiality. While the University will take requests for confidentiality seriously, it must also consider its obligations under Title IX and its responsibility to provide a safe and nondiscriminatory environment for all students, including the student who reported the sexual harassment, when that person is known to the University.

- **Seeking confidential support by contacting the campus Counseling Center** (see Section 9, Resources, for contact information). The Counseling Center staff can offer confidential resources, options, and advice without any obligation to report, unless the individual requests or consents to reporting, or if the individual fears for their safety or the safety of others. If unsure of someone's duties and ability to maintain privacy, ask the individual before talking to him/her. Talking to a member of the Counseling Center staff does not constitute reporting the incident to the University and will not trigger a response obligation under Title IX.
- **Filing a report with the Milwaukee Police Department** (see Section 9, Resources, for contact information).

Whether reporting to a University employee imputes actual knowledge to the University under Title IX (thereby triggering the University's response obligations) depends on that employee's responsibilities and authority at the University. Reporting sexual harassment to the following Responsible Employees is not confidential and imputes actual knowledge to the University:

- Title IX Coordinators
- Title IX Coordinator for Athletics
- Senior Director of Human Resources
- Senior Director of Student Affairs
- Assistant Director of Student Affairs
- Assistant Director of Residential Life
- Assistant Director of Student Engagement and Campus Life
- President

- Vice President for Academic Affairs
- Vice President for Enrollment Services
- Vice President of Finance and Administration
- Vice President of Alumnae and Donor Relations
- Vice President for Mission and Justice
- Dean of School of Arts and Design and School of Business
- Dean of School of Natural & Health Sciences and Education
- Dean of School of Humanities, Social Sciences, and Interdisciplinary Studies
- Dean of Student Success
- Director of Public Safety and Public Safety Officers

Reporting to these employees is not confidential and does trigger a response obligation from the University under Title IX. All such employees are obligated to immediately notify the Title IX Coordinator in the event they receive a report of sexual harassment. Failure to do so may result in discipline, up to and including termination.

Responding to Reports of Sexual Harassment

When the University has obtained actual knowledge of sexual harassment in an education program or activity, the Title IX Coordinator must promptly contact the complainant regarding supportive measures (as defined in Section 3). Specifically, the Title IX Coordinator must promptly contact the complainant to:

- Discuss the availability of supportive measures.
- Consider the complainant's wishes with respect to supportive measures.
- Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- Explain to the complainant the process for filing a formal complaint of sexual harassment as set forth herein.

While the Title IX Coordinator is initially obligated to reach out to the complainant regarding supportive measures, the respondent also has an equal right to supportive measures.

In each instance, the Title IX Coordinator must document their response to a report (or formal complaint) of sexual harassment and the basis for that response. This includes documenting that they have offered supportive measures to restore or preserve equal access to the University's education program or activity. If the Title IX Coordinator does not provide a complainant with supportive measures, then he/she must document the basis for not doing so.

The University shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality will not impair the University's ability to provide the supportive measures.

Before imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent accused of engaging in sexual harassment, the University must follow the grievance process set forth in Section 7.

Emergency Removal

The University, and Decision Maker (in consultation with the Title IX Coordinator), reserves the right to remove a respondent from its education program or activity on an emergency basis. In order to do so, the University must first:

- Undertake an individualized safety and risk analysis.
- Determine that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal; and
- Provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

Subject to the above process, the University may remove a respondent without first having received a formal complaint of sexual harassment.

SECTION 7. GRIEVANCE PROCEDURE FOR FORMAL COMPLAINTS OF SEXUAL HARASSMENT AND COMPLAINTS INCLUDING ALLEGATIONS OF SEXUAL HARASSMENT

Formal Complaints of Sexual Harassment

Either a complainant or the Title IX Coordinator can file a formal complaint alleging sexual harassment against a respondent.

To constitute a formal complaint, the document must be filed by a complainant or signed by the Title IX Coordinator. The document must allege sexual harassment against a respondent and request that the University investigate the allegation of sexual harassment. A document filed by a complainant means a document or electronic submission (such as by electronic mail or through [Sexual Misconduct and Harassment Anonymous Report Form](#) on MyMtMary) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

If the complainant chooses not to file a formal complaint, the Title IX Coordinator must either document his/her reasons for filing a formal complaint against the complainant's wishes or document his/her reasons for choosing not to file a formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party.

In limited circumstances, if a complainant does not sign a formal complaint, the Title IX Coordinator may sign a formal complaint on behalf of the University. In determining whether to file a formal complaint, the Coordinator will consider whether any of the following exist: violence, threat, pattern, predation, minors and/or the use of a weapon is evidenced. The Title IX Coordinator may consult with experts in making this determination, if deemed appropriate by the Title IX Coordinator.

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the University's education program or activity with which the formal complaint is filed.

A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed above, and by submitting the [Sexual Misconduct and Harassment Anonymous Report Form](#) on MyMtMary.

Party Rights During the Grievance Process

Formal complaints of sexual harassment trigger the grievance process set forth in this Section 7. During the grievance process, the parties have the following rights:

- **Presumption of Being “Not Responsible”.** The respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
- **Discussing Allegations.** The University cannot restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- **No Retaliation.** The University prohibits intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy, Title IX, or Title IX's regulations.

Intimidation, threats, coercion, or discrimination for the purpose of interfering with any right or privilege secured by Title IX or its regulations constitutes retaliation.

- **Advisors.** During the grievance process, all parties have the right to an advisor of their choice, who may be, but is not required to be, an attorney. The University may not limit the choice or presence of a party's advisor in any meeting or grievance proceeding. However, an advisor's active participation during the grievance process is limited to conducting cross-examination at the live hearing.
- **Equal Opportunity to Present Witnesses and Other Evidence.** The parties have an equal opportunity to present witnesses and other evidence, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The parties also have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations in the formal complaint, including evidence upon which the University does not intend to rely in reaching a determination regarding responsibility.
- **Objective Evaluation of All Relevant Evidence.** The parties have a right to an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence.

- **Privacy Protections.** The University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional unless the University has obtained the party's voluntary, written consent.
- **Privileged Information.** The grievance process may not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege (unless the privilege has been waived). Privileges include but are not limited to attorney-client privilege, marital privilege, religious advisor privilege, physician-patient privilege, and psychologist-patient privilege.
- **Credibility Determination.** Credibility determinations may not be based on a person's status as a complainant, respondent, or witness. The University cannot give credence to a person's statements simply because of the position he/she holds.
- **No Conflict of Interest or Bias.** Any individual designated by the University as a Title IX Coordinator, investigator, decision-maker, reviewer, or any person designated by the University to facilitate an informal resolution process, may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

The grievance process (up to and including an appeals determination, if applicable) shall be completed in a reasonably prompt time frame, which the University designates as 75-90 calendar days from receipt of the formal complaint.

Temporary delays or limited extensions of time frames may be permitted for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Administrative Leave

During the pendency of the grievance process, the University reserves the right to place a non-student employee respondent on administrative leave.

Standard of Evidence under this Grievance Procedure

The standard of evidence to be used for determining responsibility under this grievance procedure (and for all formal complaints of sexual harassment, including formal complaints against employees and students) is the preponderance of the evidence standard.

Initial Response to a Formal Complaint

Upon receipt of a formal complaint, the Title IX Coordinator shall promptly provide the following information in a written notice to the known parties:

- Notice of the grievance process, including informal resolution and the name of the individual assigned to conduct the investigation.

Note that any objections to an appointed investigator must be made in writing to the Title IX Coordinator within five (5) calendar days after notice has been provided. Objections must be based on actual bias or conflicts of interest. The Title IX Coordinator will determine if bias or a conflict of interest exists. In that event, the parties will be notified in writing of the name of the new investigator. Any objection to the new investigator will be made in accordance with this section.

- Notice of the allegations of sexual harassment potentially constituting sexual harassment as defined in 34 C.F.R § 106.30, including sufficient details known at the time and with sufficient time to prepare a response before any interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment under 34 C.F.R § 106.30, and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and who may inspect and review evidence.
- A statement informing the parties of any provisions in the University's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

Investigating a Formal Complaint

Upon receipt of a formal complaint and a determination that the complaint is subject to this grievance procedure, the assigned investigator shall investigate the formal complaint. Note that the University may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.²

The specific steps of the investigation will vary based on the nature of the allegations and other factors; however, the University's inquiry will be prompt, thorough and impartial. The investigation shall be completed within forty-five (45) calendar days of receipt of the formal complaint. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the University and not on the parties.

² Where a grievance process involves more than one complainant or more than one respondent, references to the singular "party," "complainant," or "respondent" include the plural, as applicable.

The investigation process shall include, at minimum, individual meetings with the complainant and respondent to discuss the substance of the complaint and to identify witnesses (lay or expert) and other inculpatory or exculpatory evidence. The investigator shall provide advanced notice to the party, including the date, time, location, participants, and purpose of the investigative meeting at least seven (7) calendar days in advance of the meeting to provide sufficient time for the party to prepare to participate.

When investigating a formal complaint and throughout the grievance process, the University must provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

Prior to the conclusion of the investigation, the investigator shall provide to the complainant and respondent (and their respective advisors, if any) the opportunity to review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including any evidence upon which the University does not intend to rely upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source.³

Such evidence will be sent in an electronic format to the parties and any identified party advisor (unless requested by a party or advisor to be received in hard copy format). Each party will be given at least ten (10) calendar days to submit to the investigator a written response to the evidence for consideration by the investigator prior to conclusion of the investigation and completion of the investigative report.

The investigator shall conclude the investigation by drafting a written investigative report that fairly summarizes the relevant evidence. The investigative report must also describe the procedural steps from receipt of the formal complaint through the conclusion of the investigation, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence.

Note that the following evidence and information is deemed not relevant or otherwise not subject to use in the grievance process: (1) information protected by a legally recognized privilege; (2) evidence about a complainant's sexual predisposition; (3) evidence about a complainant's prior sexual behavior unless it is offered to prove that someone other than the respondent committed the alleged conduct or it concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is offered to prove consent; (4) any party's medical, psychological, and similar records unless the party has given voluntary written consent.

Before the investigative report has been finalized, each party (and their respective advisors, if any) will be provided with a draft copy of the investigative report. The draft report will be provided in an

³ The University must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

electronic format (unless requested by a party or advisor to be received in hard copy format). Each party will be given five (5) calendar days to submit to the investigator any objections to the draft investigative report prior to its finalization.

The final investigative report will be sent to the parties and any identified party advisor at least ten (10) calendar days prior to the live hearing in electronic format (unless requested by a party or advisor to be received in hard copy format). The parties may review the final investigative report and provide a written response to the decision-maker no later than five (5) calendar days before hearing (discussed below).

Dismissing a Formal Complaint

Jurisdictional Dismissal. Under certain circumstances, a formal complaint of sexual harassment may not be subject to the jurisdiction of Title IX and this grievance procedure for complaints of sexual harassment set forth in this Section 7.

The University must investigate the allegations in a formal complaint. However, a formal complaint must be dismissed for purposes of sexual harassment under Title IX and its regulations (and removed from this grievance process) if:

- The conduct would not constitute sexual harassment as defined under 34 C.F.R § 106.30 even if proved.
- The conduct did not occur in the University's education program or activity; or
- The conduct did not occur against a person in the United States.

Dismissing a formal complaint of sexual harassment for any of these reasons does not preclude action under another of the University's policies prohibiting misconduct.

Discretionary Dismissal. The University may dismiss a formal complaint as subject to this grievance process if, at any time during the investigation or hearing:

- The complainant submits a written request for withdrawal to the Title IX Coordinator.
- The respondent is no longer enrolled at or employed by the University; or
- The specific circumstances prevent the University from gathering evidence sufficient to reach a determination.

Regardless of whether a formal complaint is subject to jurisdictional or discretionary dismissal, the Title IX Coordinator shall promptly notify the parties, simultaneously and in writing, of the dismissal and reasons therefor. Parties can appeal the dismissal decision (see below).

Live Hearing

Within thirty (30) calendar days following the conclusion of the investigation, the University will schedule a live hearing before an appointed decision-maker⁴ to reach a determination regarding responsibility.

⁴ The decision-maker may not be the Title IX Coordinator or investigator. The decision-maker may also be a panel of decision-makers.

Key aspects of the live hearing include:

- **Physical or Virtual Presence.** At the University’s discretion, live hearings pursuant to this paragraph may be conducted either with all parties physically present in the same geographic location or with any or all parties, witnesses, and other participants appearing at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

At the request of either party, the University shall provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker and parties to simultaneously see and hear the party or the witness answering questions.

Records or Transcript. The University shall create an audio or audiovisual recording, or transcript, of the live hearing and make it available to the parties for inspection and review.

- **Cross-Examination.** At the live hearing, the decision-maker must permit each party’s advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party’s advisor of choice and never by a party personally, notwithstanding the University’s discretion to otherwise restrict the extent to which advisors may participate in the proceedings.

If a party or witness does not submit to cross-examination at the live hearing, the decision-maker must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party’s or witness’s absence from the live hearing or refusal to answer cross-examination or other questions.

- **Relevant Questions.** Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.

- **Advisors for Cross-Examination.** If a party does not have an advisor present at the live hearing, the University shall provide without fee or charge to that party, an advisor of the

University's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.

The Title IX Coordinator will be responsible for coordinating the live hearing process. This includes but is not limited to scheduling the hearing; notifying parties and witnesses of the hearing; ensuring that the decision-maker is provided with appropriate materials including any exhibits; coordinating technology; securing a location for the hearing; and providing for a record or transcript. The Title IX Coordinator will also act as liaison between the parties and the decision-maker on procedural matters.

The parties will be given written notice of the date, time, and location of the hearing no sooner than seven (7) calendar days before the hearing has been scheduled. The notice of hearing shall also include the identity of the decision-maker. Any objections to an appointed decision-maker must be made in writing to the Title IX Coordinator within five (5) calendar days after notice has been provided. Objections must be based on actual bias or conflicts of interest. The Title IX Coordinator will determine if bias or a conflict of interest exists. In that event, the parties will be notified in writing of the name of the new decision-maker. The date for the hearing may also need to be rescheduled. Any objection to the new decision-maker will be made in accordance with this section.

No later than five (5) calendar days before the hearing, each party will provide to the decision-maker (i) the name of, and contact information for, the party's advisor (if any); (ii) any requests to consolidate pending cases for hearing; and (iii) a proposed witness list.⁵

The decision-maker will make all determinations regarding pre-hearing matters and will promptly notify the Title IX Coordinator who, in turn, will promptly notify the Parties.

Decision-Maker's Determination Regarding Responsibility

Following the live hearing, the decision maker shall issue a written determination regarding responsibility. To reach this determination, the preponderance of the evidence standard must be applied. The decision-maker's written determination shall:

- Identify the allegations potentially constituting sexual harassment;
- Describe the procedural steps from receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Include the findings of fact supporting the determination;
- Include the conclusions regarding the application of the University's code of conduct to the facts;
- Include a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on

⁵ The investigator may be a witness at hearing. However, the decision-maker must independently reach a determination regarding responsibility without giving deference to the investigative report.

the respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the complainant; and

- Include the University's procedures and permissible bases for the complainant and respondent to appeal.

The decision-maker shall provide his/her written determination to the parties simultaneously. The determination becomes final either on the date the University provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Appeal

Any party can appeal the decision-maker's determination regarding responsibility. Parties can appeal on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
- The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainant or respondent generally or against the individual complainant or respondent that affected the outcome of the matter.

Parties also have the right to appeal the University's mandatory or discretionary dismissal decision.

Appeals must be filed with the Title IX Coordinator within five (5) calendar days following issuance of the decision-maker's written determination. Upon receipt of the appeal, the Title IX Coordinator shall notify the parties in writing that an appeal has been filed. The Title IX Coordinator shall also appoint a reviewer to consider the appeal and notify the parties of the selected reviewer.⁶

If the parties have objections to the appointed reviewer based on actual bias or conflict of interest, they shall contact the Title IX Coordinator within five (5) calendar days after notice has been provided. The Title IX Coordinator will determine if bias or a conflict of interest exists. In that event, the parties will be notified in writing of the name of the new reviewer. Any objection to the new reviewer will be made in accordance with this section.

The reviewer shall notify the parties of the appeal procedures and set a schedule for the parties to submit written statements in support of, or challenging, the outcome. Such schedule shall provide an opportunity for each party to respond to the arguments of the other party.

⁶ The reviewer shall not be the same person as the decision-maker, the investigator, or the Title IX Coordinator. The reviewer may also be a panel of reviewers.

Upon reviewing both parties' statements, the reviewer shall issue a reasoned written decision describing the result of the appeal and rationale for the result. The written decision shall be provided to both parties simultaneously. The reviewer's decision shall be final and binding upon the parties.

Remedies

This grievance process provides remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent. The Title IX Coordinator is responsible for effective implementation of any remedies. Remedies under this policy for sexual harassment must be designed to restore or preserve equal access to the education program or activity. For students, the range of possible remedies includes but is not limited to safety escorts, class section reassignment, residence hall room reassignments, counseling and academic support services, academic accommodations, the ability to retake a test, and withdrawal or re-enrollment in a course without financial penalty. For employees, the range of possible remedies includes but is not limited to; a "no contact" order between the parties, office reassignments, job reassignments, accommodations and/or counseling.

The grievance process may also provide for discipline or recommendations for discipline where a determination of responsibility for sexual harassment has been made against the respondent. For students, the range of possible discipline includes but is not limited to a warning, probation, restitution, residence hall probation, residence hall suspension, residence hall expulsion, university probation, university suspension, and university expulsion. More than one of the sanctions listed above may be imposed for any single violation. For employees, the range of possible discipline includes but is not limited to a written warning, suspension, and expulsion or termination. Recommendations for discipline will be pursued according to applicable University policies.

The University will also consider whether there are any broader student population remedies that should be considered to satisfy its Title IX obligation to eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects.

Informal Resolution

At any time after a formal complaint has been filed (but before a determination regarding responsibility), the University may offer the parties the opportunity to engage in informal resolution of the formal complaint. However, informal resolution may not be offered or utilized where the allegations involve an employee sexually harassing a student.

The University must obtain the parties' voluntary, written consent to the informal resolution process. The Title IX Coordinator must also provide to the parties a written notice disclosing:

- The allegations;
- The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations (provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint); and

- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

At any time prior to agreeing to a resolution resulting from an informal resolution process, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. The University will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

SECTION 8. MISCELLANEOUS PROVISIONS REGARDING DISCRIMINATION ON THE BASIS OF SEX AND SEXUAL HARASSMENT

Confidentiality

The University shall keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (“FERPA”) and its regulations, or as required by law, or to carry out the purposes of 34 C.F.R. Part 106 (Nondiscrimination on the Basis of Sex in Education), including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Retaliation

The University prohibits intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy, Title IX, or Title IX’s regulations.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, constitutes retaliation.

Complaints alleging retaliation may be filed according to the University’s grievance procedures for sex discrimination.

Recordkeeping

The University will comply with all recordkeeping requirements imposed by applicable law and regulations, including those recordkeeping requirements set forth in 34 C.F.R. § 106.45(b)10. This includes the following records, which must be maintained in compliance with federal and state laws:

- Each sexual harassment investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the education program or activity;
- Any appeal and the result of that appeal;
- Any informal resolution and the result of that informal resolution;
- All Title IX training materials; and
- Records of any actions, including any supportive measures (and the basis for providing or not providing supportive measures based on the deliberate indifference standard) taken in response to a report or formal complaint of sexual harassment.

Beginning on August 14, 2020, the above-cited records must be maintained for no less than seven (7) years from the conclusion of a matter (including any appeal).

Right to Pursue Other Remedies Not Impaired

The right of a person to prompt and equitable resolution of a complaint filed under this policy shall not be impaired by the person’s pursuit of other remedies, e.g., criminal complaints, civil actions, etc. Use of the University’s grievance procedures does not extend any filing deadline related to the pursuit of other remedies.

SECTION 9. RESOURCES

If you believe that you or another student or employee has been a victim of sexual harassment, the following resources are available to you and/or the other person. Outside of seeking confidential support with the Mount Mary University Counseling Center, these resources are not confidential and may trigger a response from the University.

RESOURCES/ASSISTANCE	CONTACT INFORMATION
Reporting & Criminal Investigations	Milwaukee Police Department 911/414-933-4444
Restraining Orders/Injunctions	Sojourner Truth House 414-933-2722
Reporting & University Investigations	Department of Public Safety Bergstrom Hall Room 79, Lower Level 414-930-3333
Confidential Support & Counseling	Mount Mary University Counseling Center Haggerty Library, Student Success Center 414-930-3485

<p>Filing an Anonymous Report</p>	<p><i>MyMountMary</i>, under <i>Campus Life</i> tab, on page entitled <i>Sexual Misconduct and Harassment Anonymous Report Form</i></p>
<p>Filing a Formal Complaint with the University's Title IX Coordinator(s)</p>	<p>Keri Alioto Vice President for Student Affairs Caroline Hall 145 2900 Menomonee River Parkway Milwaukee, WI 53222 aliotok@mtmary.edu Phone: 414-930-3372</p> <p>Tonya Vlasik Senior Director of Human Resources Notre Dame Hall 252 2900 Menomonee River Parkway Milwaukee, WI 53222 vlasikt@mtmary.edu Phone: (414) 930-3139</p>
<p>Sexual Assault Treatment Centers</p>	<p>24-hour telephone line: 414-219-5555 Confidential Text Line: 414-219-1551</p> <p>Aurora Healing Center 130 W. Bruce Street, 4th Floor Milwaukee, WI 53204 414-671-4325</p> <p>Aurora Healing Center at Aurora Sinai Medical Center 945 N. 12th Street Milwaukee, WI 53233 414-219-5938</p> <p>Aurora Healing Center at Sojourner Family Peace Center 619 W. Walnut Street Milwaukee, WI 53212 414-810-1498</p> <p>Aurora Healing Center at Aurora West Allis Medical Center 8901 W. Lincoln Ave. West Allis, WI 53227 414-219-5938</p>

SECURITY AWARENESS AND CRIME PREVENTION

The University educates the Mount Mary community about dating violence, domestic violence, sexual assault, sexual harassment, stalking, bystander intervention, and risk reduction through mandatory online training for employees and students. Online training programs are offered through a vendor, Safe Colleges (now Vector Solutions), and are required for all campus community members.

Annual Employee Online Training

- Title IX: Roles of Responsible Employees- Required
- FERPA – Confidentiality of Records – Required
- Implicit Bias and Microaggression Training – Required
- Diversity Awareness: Staff-to-Staff – Required

Additional Annual Employee Training

- All University Workshop
- WAICU Compliance Summit
- WAICU Title IX Investigator Training
- WAICU Title IX Coordinator Training
- Support for Pregnant/Parenting Students Training
- Husch Blackwell – Title IX Training Webinar

Student Online Training

- Campus SaVE Act for Students – Sexual Violence Awareness - Required
- FERPA – Confidentiality of Records (if student employee) - Required

Student Awareness Programs

- Student Bystander Intervention.
- Denim Day Recognition Events.

Additional Programming/Educational Outreach

During the new student orientation in August, students are informed of services offered by the Public Safety Department of Mount Mary University, in addition to being offered primary programming/programs to prevent, such as active shooter/critical incident response, dating violence, and personal safety information. Similar information is presented to new employees, current employees, Caroline Desk Staff, and Resident Assistants during annual training. The Public Safety office has brochures containing strategies for residence hall security, along with tips on how to protect students from sexual assault, theft, and other crimes. Public Safety also publishes safety information on the department intranet web page. A video series discussing several health and welfare topics is also available throughout the year. In October, Student Engagement coordinated an alcohol awareness activity for all students and staff. The purpose of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

Student Affairs also offers sexual assault education and awareness programs to University students. The University informs its employees about sexual offense-related policies and procedures through the employee handbook, the employee welcome packet, and an annual notification from the Title IX Coordinator. University Public Safety offers safety escorts and assistance in enforcing restraining orders and coordinates timely notification of potential safety concerns to the campus community.

Definitions

The term **awareness programs** refer to programs, campaigns, or initiatives that increase audience knowledge of the issues of sexual assault, domestic violence, dating violence and stalking and share information and resources to prevent interpersonal violence, promote safety, and reduce perpetration.

The term **bystander intervention** refers to safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene in situations of potential harm when there is the individual.

The term **programs to prevent** refers to comprehensive educational and training programs intended to prevent violence that incorporate diverse approaches that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and consider risk and protective factors as they occur on the individual, relationship, community, and societal levels.

The term **primary prevention** refers to programming, initiatives and strategies intended to stop domestic violence, dating violence, sexual assault, or stalking before it occurs to prevent initial perpetration or victimization through the promotion of positive and healthy behaviors and beliefs.

CAMPUS SEX CRIMES PREVENTION ACT

The Campus Sex Crimes Prevention Act of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. Sex offender information in the State of Wisconsin is compiled by the Department of Corrections. The Department of Corrections website allows the public to search their sex offender database online. This information can be found at (<http://offender.doc.state.wi.us/public/>)

COMMUNITY AWARENESS & TIMELY WARNINGS

To keep the campus community informed about safety and security issues on an ongoing basis, the Mount Mary University Public Safety Office will alert the campus community of certain crimes in a manner that is timely and will aid in the prevention of similar crimes. A warning will be issued when a crime occurs on or off campus that constitutes an ongoing or continuing threat to community members. The information is distributed primarily via email but could include other means including postings in the residence hall and other university facilities, or the RAVE messaging system. Warnings will only be issued for crimes occurring on or near campus. (Note: The University has no officially recognized student organizations with non-campus locations.)

COMMUNITY RESPONSIBILITY TO CAMPUS SAFETY

The security of the Mount Mary University campus needs the cooperation and involvement of students, faculty, and staff. All members of the community must assume a part of the responsibility for their own personal safety and the security of their belongings. Ways that students, faculty and staff can contribute to campus security are:

1. Take precautions to ensure your own personal safety.
2. Report suspicious persons or activities to Public Safety.
3. Lock offices and room doors.
4. Lock your vehicle. Do not leave valuables in plain view.
5. Report all security related maintenance problems (poor lighting, landscape concerns, etc.).
6. Have school-issued ID/nametags on hand and visible at all times.

It is the responsibility of all members of the Mount Mary University community to be proactive in protecting themselves and their property. If you reduce the opportunity, you reduce crime.

CAMPUS CRIME GEOGRAPHY, DEFINITIONS, AND STATISTICS

In this section are statistical charts for calendar years 2022, 2021 and 2020. Differences in categories from year to year are explained in introductions to the charts. Differences in the statistics themselves reflect the number of crimes reported, and not necessarily a difference in the rate of crime itself. The data does not reflect prosecutions, convictions, or the outcome of disciplinary actions. Crime statistics published in this document reflect crimes that are reported to have occurred in one of four federally defined locations. Crimes that are reported to have occurred outside of the following locations are not included in this report. The four federally defined locations are:

On-campus property is defined as any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area above that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

On-campus student housing is defined as any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus. This includes hotels that were used to house students in quarantine and are reasonably contiguous with the campus.

Public property is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from campus.

***Non-campus property** is defined as any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property that is owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution. This category includes property that is outside of Milwaukee, outside of Wisconsin and outside of the United States.

Types of Criminal Offenses

Criminal Homicide

- Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.
- Manslaughter by Negligence: The killing of another person through gross negligence (Does not include traffic fatalities).

Sexual Assault (Sex Offenses): Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both male and females.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest:** Sexual intercourse between persons who are related to each within the degrees wherein marriage is prohibited by law (WI prohibits marriage between parties nearer than 2nd cousins but allows 1st cousin sexual intercourse if the woman is over 55 years or if one party has a letter from a physician confirming sterility).
- **Statutory Rape:** Sexual intercourse with a person who is under statutory age of consent.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force, or threat of force, or violence and/or by putting the victim in fear.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary: The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Consent

Under WI law, consent is 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. The following persons are presumed incapable of consent, but the presumption may be rebutted by competent evidence:

1. A person suffering from mental illness or defect which impairs capacity to appraise personal conduct.
2. A person who is unconscious or for any other reason physically unable to communicate an unwillingness to act.

Domestic Violence, Dating Violence, and Stalking

Domestic Violence: A felony or misdemeanor committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting parties' statement and with consideration of the length of the relationship, type of relationship, and the frequency of interactions with the persons involved in the relationship. For the purposes of the definition dating violations include but are not limited to sexual or physical abuse or the threat of such abuse, dating violence does not include acts covered under the definition of domestic violence. (Under WI law, dating violence is a form of domestic violence.)

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. Fear for the person's safety or the safety of others; or
2. Suffer substantial emotional distress

- **Course of Conduct:** Defined as two (2) or more acts including but not limited to acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

- **Reasonable Person:** Defined as a reasonable person under similar circumstances and with similar identities to the victim.

- **Substantial Emotional Distress:** Means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Hate Crimes

A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Bias is a pre-formed negative opinion or attitude toward a group of persons based on their race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability.

- **Race:** Includes color of skin, eyes or hair, facial features, etc. Genetically transmitted by descent

and heredity which distinguishes them as a dissent division of humankind e.g., Asian, blacks, African American, whites.

- **Religion:** Includes those who share the same religious beliefs regarding the origin and purpose of the universe and the existence or non-existence of a supreme being e.g., Catholics, Jews, Protestants, and atheists.
- **Sexual Orientation:** Actual or perceived sexual orientation. Sexual orientation is the term for a person's physical romantic, and/or emotional attraction to members of the same and/or opposite sex including lesbians, gay, bisexual, and heterosexual (straight) individuals.
- **Gender:** Actual or perceived gender e.g., male or female.
- **Gender Identity:** Actual or perceived gender identity e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society. A gender non-conforming individual may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as much.
- **Ethnicity:** Identification with each other through a common heritage often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria while ethnicity also encompasses additional cultural factors.
- **National Origin:** Actual or perceived country of birth. This bias may be associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associated with a people of a certain national origin.
- **Disability:** Physical or mental impairments whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advance age, or illness.

Crimes Reported under Hate Crime

- **Larceny-Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- **Constructive Possession:** The condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.
- **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property:** To destroy willfully or maliciously, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

CLERY STATISTICS REPORT

	On-Campus			On-Campus Residence Hall			Public Property		
Criminal Offenses	2020	2021	2022	2020	2021	2022	2020	2021	2022
Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	1	0	0	1	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	1	0	0	0	0	1	0	0
Aggravated Assault	0	1	0	0	0	0	0	0	0
Burglary	2	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	5	2	0	0	0	0	1	1
Arson	0	0	0	0	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0	0	0	0	0
Violence Against Women									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	1	0	1	1	0	1	0	0	0
Stalking	0	0	1	0	0	1	0	0	0
	On Campus			On Campus Residence Hall			Public Property		
Hate Offenses	2020	2021	2022	2020	2021	2022	2020	2021	2022
Criminal Homicide	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0
Aggravated Assault									

	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Damage to Property-Vandalism	0	0	0	0	0	0	0	0	0
	On Campus			On Campus Residence Hall			Public Property		
Liquor Law Violations	2020	2021	2022	2020	2021	2022	2020	2021	2022
Arrests	0	0	0	0	0	0	1	0	0
Referral	0	0	0	0	0	0	0	0	0
Drug Law Violations									
Arrests	1	0	0	1	0	0	0	0	0
Referrals	2	3	5	2	3	5	0	0	0
Weapon Violations									
Arrests	0	0	0	0	0	0	0	0	0
Referrals	0	0	0	0	0	0	0	0	0

***There were no crimes of any kind reported on Non-Campus Property**

ALCOHOL/DRUGS/ILLEGAL SUBSTANCES POLICY

Federal Law

The Drug-Free Schools and Communities Act Amendments of 1989 (amends the Higher Education Act) [20 U.S.C. § 1011i](#); [34 C.F.R. § 86.1](#) et seq.; 55 Fed. Reg. 33,580 (Aug. 16, 1990) This law requires institutions receiving federal financial assistance to establish drug and alcohol abuse prevention programs (DAAPP) for students and employees. Students and employees must receive materials annually that contain standards of conduct, a description of the various laws that apply in that jurisdiction regarding alcohol and drugs, a description of the various health risks of drug and alcohol abuse, a description of counseling and treatment programs that are available, and a statement on the sanctions the university will impose for a violation of the standards of conduct.

The University must also undertake a biennial review of the DAAPP to determine effectiveness, implement needed changes, and ensure consistent enforcement of disciplinary sanctions.

Students and employees are entitled to a paper copy of this policy. Students can request a paper or electronic copy by contacting the V.P. for Student Affairs. Employees can request a paper or electronic copy by contacting Human Resources.

Health Risks

The risks associated with the use of illicit drugs and the abuse of alcohol are numerous and include physical and mental impairment, emotional and psychological deterioration and devastating effects on family and friends. There are obvious risks such as suffering a hangover, being charged with driving under the influence or while intoxicated and sustaining or causing personal injury. There are several less obvious risks associated with alcohol and other drug abuse that students might not realize, including:

- Poor academic performance
- Poor job performance
- Poor social interactions
- Unwanted and inappropriate sexual activity
- Sexually transmitted diseases, including HIV/AIDS
- Pregnancy
- Jeopardizing future career prospects, (e.g., admission to law school and employment with the federal government)

In addition, alcohol and other drug abuse puts the user at considerable health risk, which can include nausea, vomiting, cancer, liver damage, elevated blood pressure, psychotic episodes, hallucinations and, in some cases, death. In addition to the risk to the abuser of illicit drugs and alcohol are the risks to fellow classmates, the public and to unborn children.

Prevention

The decision to use alcohol or drugs is a choice that has potentially serious health, academic and legal consequences. According to the American College Health Association (2008), you can reduce your risk for abuse by doing the following:

Know your limits – Consider your personal or family history for substance abuse and take action to avoid situations that may lead you to use alcohol or drugs.

Develop your own risk reduction strategies – If you decide to use drugs, but you regularly violate your risk reduction strategies, you should seek help from someone you trust (also see resources listed below).

Consider your reasons for using alcohol or drugs – After evaluating your reasons for substance use (i.e., to feel good, to be more social comfortable), identify other avenues by which to achieve the same results. If you need help determining alternative ways to achieve these results, you should seek help from someone you trust (also see resources listed below).

University Standards of Conduct and Sanctions

Drug Use: Mount Mary is a Drug Free Campus. Possession, use, manufacturing, distribution, and/or sale, and student involvement in illicit use of narcotics, amphetamines, barbiturates, LSD, marijuana, or any other harmful drug is illegal and is prohibited. Students shall not possess any illegal or controlled substance in crude or refined form except under the direction of a licensed physician. Students shall not possess any items that are designed for the use of drugs (pipes, blow tubes, bowls, bong, etc.). Any items that are fashioned for the purpose of facilitating or disguising drug use will also be considered a violation of this policy. Student involvement in such matters is a Mount Mary University concern whether they occur on or off campus and irrespective of any action by civil authorities.

Alcohol Use: Mount Mary University adheres to state laws and the legal drinking age. Proof of age must be shown at events where alcohol is available on the Mount Mary campus. The unauthorized sale, possession, or consumption of alcoholic beverages by students on campus is prohibited unless permission has been granted for its use at specific University-sponsored functions. Off campus use or possession of alcoholic beverages is governed and controlled by state and/or local laws. Each group sponsoring social activities where alcohol will be served on campus must publish procedures in compliance with state law and Mount Mary policy.

Use of Alcohol in Caroline & Madonna Residence Halls: Wisconsin law states that the age to use alcoholic beverages is 21. Both Residence Halls extend that right as a privilege to those who meet the legal qualifications. Our goal as an educational institution is to create an environment that encourages individuals to make responsible decisions. Mount Mary University does not encourage the use of alcoholic beverages, nor does it condone underage consumption. It respects the privilege extended by the state of Wisconsin. Guidelines for alcohol use in Caroline & Madonna Halls are found in the Residence Hall Handbook.

A person is always expected to be responsible for his or her behavior. Conduct which is in violation of the state, county, and municipal laws or the University regulations relating to the use of alcoholic beverages will involve the student in University disciplinary procedures, with sanctions ranging from a warning to expulsion and referral for prosecution, regardless of the action that may be taken by civil authorities. University action may be taken if an individual's conduct is inappropriate to an educational institution and to a residential community, whether his or her actions may or not be due to the consumption of alcoholic beverages.

State and Federal Laws and Sanctions

ALCOHOL – There are substantial restrictions against the sale, possession, and distribution of alcohol in Wisconsin. It is against the law to sell alcohol to anyone not of the legal drinking age of 21 and there is a concurrent duty on the part of an adult to prevent the illegal consumption of alcohol on his/her premises, Wis. Stats.125.07(1)(a). Violation of this statute can result in up to \$500 forfeiture for a first offense, with higher fines and imprisonment for subsequent violations. It is against the law for an underage person to attempt to buy an alcoholic beverage, falsely represent her age, or enter a licensed premise except to conduct lawful business. First offenders can be fined up to \$500, ordered to participate in a supervised work program and have their driver's license suspended, Wis. Stats.125.07(4).

DRUGS - Wisconsin laws prohibit drug possession and delivery through the Uniform Controlled Substances Act, Wis. Stats. 961. The law mandates stiff penalties, including large fines and long periods of imprisonment. For a first-time conviction of possession of a controlled substance, a person can be sentenced up to one year in prison and fined up to \$5000, Wis. Stats. 961.41(2r). The penalties will vary depending on the amount and type of drug confiscated, the number of previous offenses by the individual, and if the individual intended to manufacture, sell, or possess the drug. Wis. Stats. 961.41. In addition to the stringent penalties for possession or delivery, the sentences can be doubled when exacerbating factors are present, such as when a person distributes a controlled substance to a minor, Wis.Stats.961.46(1).

The federal government revised the penalties against drug possession and trafficking when it adopted the Federal Sentencing Guidelines that reduce or eliminate the discretion that federal judges may use in sentencing offenders of federal drug statutes. Under current statutes, courts can sentence a person up to one year of imprisonment and a \$5000 fine for unlawful possession of a controlled substance such as marijuana. Federal law creates special penalties for the possession of certain drugs such as cocaine base, also known as crack. For the possession of 5 grams of cocaine base, a federal judge is obligated to sentence a person to at least 5 years (and up to 20 years) imprisonment. A sentence of life imprisonment is required for a conviction for the distribution of a controlled substance that results in death or bodily injury. The Federal Sentencing Guidelines eliminated parole in the federal judicial system.

Mount Mary University Alcohol and Other Drug Resources

Anyone interested in receiving assistance with an alcohol or other drug issue should contact one of the following offices:

Counseling Center - (414) 930-3022; Haggerty Library 135

Public Safety - (414) 930-3333; Bergstrom Hall 079

Director of Residence Life (for resident students) - (414) 930-3527; Caroline Hall 155

Community Alcohol and Other Drug Resources (Hotlines):

Addiction Resource Council - (262) 524-7921

Alcoholics Anonymous - (414) 771-9119

Milwaukee Council on Alcoholism and Drug Dependence (Impact) - (414) 276-8487

Community Information Line (IMPACT) - (414) 773-0211

Community Treatment Facilities:

Aurora Sinai Behavioral Health Services - (414) 219-5000

Lutheran Social Services Outpatient - (414) 325-3096

Aurora Psychiatric Hospital—Wauwatosa - (414) 454-6600

Meta House (women) - (414) 962-1200

Genesis Behavioral Services Inc. - (414) 342-6200

St. Mary's Hospital Milwaukee - (414) 961-3300

National Resources:

National Clearinghouse for Alcohol and Drug Information – (800) 729-6686

National Council on Alcoholism and Drug Dependency – (212) 269-7797; www.ncadd.org

National Institute on Drug Abuse – (301) 443-1124; www.drugabuse.gov

MISSING STUDENT NOTIFICATION POLICY AND PROCEDURES

Institutions of postsecondary education that participate in the Federal student financial assistance programs are required by Section 485(a) and (f) of the Higher Education Act (HEA) to provide the

Secretary with campus crime statistics since 1990. The Higher Education Opportunity Act (Public Law 110-315) (HEOA) was enacted on August 14, 2008, and reauthorizes the Higher Education Act of 1965, as amended. Final regulations implementing these provisions were published October 29, 2009 and can be found at [74 Fed. Reg.55902](#).

Definition of a Missing Person

A missing person is someone whose whereabouts are unknown for at least 24 hours. (Please note any of the following actions may be executed earlier if a member of the university community has reason to believe that a student is missing and in danger, even if the student has been missing for less than 24 hours.)

Notifying University Officials & University Actions

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the Director of Residence Life or Public Safety. Public Safety will generate a missing person report and initiate an investigation. After investigating a missing person report, should Public Safety determine that the student has been missing for 24 hours, Public Safety will notify the Milwaukee Police Department and the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, Public Safety will notify the student's parent or legal guardian immediately after Public Safety has determined that the student has been missing for 24 hours.

Furthermore, University officials may check with roommates, close friends, and emergency contacts to ascertain the location of the missing student. A call may be placed to instructors to check if the student has been in class. University officials may also call parents or family members to check if they have information regarding the missing student's whereabouts.

Designating a Missing Person Contact

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Public Safety in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, Public Safety will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential contact can do so through filling out a Personal Data Card with the Director of Residence Life. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement during the investigation.

EMERGENCY NOTIFICATION

The RAVE emergency notification system at Mount Mary University allows university administrators to contact students, faculty and staff by text messages, e-mail, and system messages sent to all logged on computers on campus when an emergency exists. An emergency message can also be posted on the university website, mtmary.edu. The success of the system depends on students, faculty and staff utilizing active Mount Mary e-mail accounts. The RAVE Alert text messaging system is tested on a semiannual basis.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

In every potential emergency, a unique response is required. The MMU Public Safety Department is staffed 24 hours per day, 7 days per week. In the event of an emergency, Mount Mary University works closely with the Milwaukee Police Department, Milwaukee Fire Department, and the City of Milwaukee Health Department to help mitigate the emergency.

MMU Public Safety has the responsibility for responding to, and summoning the necessary resources to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus. In addition, MMU Public Safety has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If that is the case, MMU will immediately notify the campus community upon confirming that an immediate threat exists, in accordance with federal law.

In the event of a serious incident that poses an immediate threat to the health and safety of the MMU community, MMU has various systems in place for communicating information quickly to faculty, staff, and students. The Director of Public Safety, or designee, reviews all reports to determine if there is an immediate or on-going threat to the community and if the distribution of an emergency message is warranted. Public Safety will determine the appropriate segment or segments of the campus community to receive notification.

MMU uses the RAVE Alert mass notification system to send alerts to the on and off campus population via email and text messaging. This mass notification system is only used for critical, timely emergency notifications, to include weather related campus closings and other significant events.

All students, staff, faculty, and contracted employees have their MMU e-mail addresses and cell phones automatically enrolled.

If an emergency or dangerous situation is confirmed by the Director of Public Safety, or designee, (with the assistance of campus administrators, local first responders and/or the National Weather Service), and that situation presents an immediate threat to the health and/or safety of some or all members of the MMU community, the Director of Public Safety, or designee, will determine the content of the emergency notifications used to communicate the threat to the campus. Information will be disseminated in the most timely and appropriate manner.

These notifications will be sent without delay, considering the safety of the community, unless issuing a notification will, in the judgment of the first responders (MMU Public Safety, Milwaukee Police Department, Milwaukee Fire Department, etc.), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Annual tests of these emergency notification systems are conducted. These tests, including the date, time, and whether the test was announced or unannounced, are documented by Public Safety. In addition, one scheduled fire drill is conducted each year in Caroline Residence Hall. The drill requires evacuation of the building. It also tests and evaluates the total response to the fire alarm.

There are two general categories of response to emergencies. One is “evacuation,” and the other is “shelter in place”. In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of student, staff, or visitors to campus, the university community will be given instructions on the safest response to the situation. The notification may be in the form of verbal instructions given in person, utilizing building loudspeakers where equipped, activating fire alarms, and/or sending a message via the campus emergency notification system. Evacuation instructions are posted in Caroline Residence Hall, along with the other campus buildings.

The Incident Command System, or ICS, is a standardized, on-scene, all risk, incident management concept. ICS is an interdisciplinary and organizationally flexible plan recognized and used by many first responder teams (i.e., police departments, fire departments) nationally. The ICS will be used throughout the crisis response and recovery process. The role of ICS and the individual assigned to each role is to support emergency field operations and to manage and direct the activities of the various departments upon reaction to a critical incident.

When a critical incident occurs on Mount Mary University grounds, the individual who initially observes the crisis will immediately alert Public Safety of the incident. Public Safety will collect the information necessary to determine who the appropriate Incident Commander is.

The assigned Incident Commander will initiate and designate additional ICS roles as appropriate.

Emergency Response Team

The purpose of the Emergency Response Team is to coordinate clear communication and effective teamwork in preparation for a potential critical incident or after the initial response to the critical incident.

The Emergency Response Team consists of the following members:

- President
- Vice President of Academic Affairs
- Vice President of Student Affairs
- Vice President of Finance and Administration
- Vice President of Development
- Vice President of Enrollment
- Vice President of Mission & Justice
- Director of Human Resources
- Director of Buildings and Grounds
- Director of Information Technology
- Director of Marketing/Communication
- Director of Public Safety

EMERGENCY OR DISASTER SITUATIONS

A. ACTIVE / ARMED SHOOTER AND WEAPONS

If you witness any armed individual shooting at people on campus or hear gunshots:

1. Immediately contact the Milwaukee Police Department by calling 911. Provide the 911 operator with as much information as you can. Do not hang up unless told to do so.
2. Call MMU Public Safety at 414-930-3333 or 414-807-9560 if safe to do so.
3. Police officers will be the first responders on the scene. As they move into an area or facility, rescue efforts will be delayed until the shooter is located and stopped.
4. To assist police, please stay calm and patient during this time. If you know the location of the suspect, provide the police with the location and/or description of the suspect.
5. If you encounter police, always keep your hands empty and in plain view. Do not speak to the officers until they speak to you. Listen to their instructions and do exactly what they say.
6. If you are evacuating, leave everything behind and do not carry anything that could be mistaken for a weapon.
7. Rescue teams will follow shortly after the first responding officers enter the building. They will attend to the injured and remove everyone safely from the area or building.

If the shooter is outside the building:

1. Proceed to a room that can be locked. Turn off all the lights. Close and lock all windows and doors.
2. Get all occupants on the floor and out of the line of gunfire. Also, ensure that no one is visible from outside the room.
3. One person in the room should call 911 and advise the 911 operator of the situation, including location.
4. Unfamiliar voices may belong to the shooter who is attempting to lure victims from their safe space; do not respond to any voice commands until you can verify with certainty that a police officer is issuing them.
5. Remain in place until law enforcement, emergency management and/or university officials give an all-clear notification.

If the shooter is inside the building:

1. Lock the room if possible, or if you can, safely leave the building.
2. If your room cannot be locked, determine if there is a nearby location that can be reached safely and locked.
3. Lie on the floor or under a desk and remain silent.
4. If it is possible to escape the area safely and avoid danger, do so by the nearest exit or window. Leave books, backpacks, purses, etc. in the room. As you exit the building, keep your hands above your head and listen for instructions that may be given by police officers on the outside. If you receive no instructions, proceed to an evacuation assembly point that is out of the danger area.
5. Contact 911. Report your name and location.
6. Remain calm, keep your hands up above your head and follow instructions. If an officer points a firearm at you, please try to remain calm. Make no movement that may cause the officer to mistake your actions for a threat. Remember, the officer does not know if you are involved in the incident or are a suspect at this point.
7. If you witness anything, tell the responding officers as much about what you know about the situation.
8. Wait for the police to come find you.

If the shooter(s) enters your class or office:

1. Call 911 if possible and alert the 911 operator to the shooter's location. If you cannot speak, leave the phone open so the dispatcher can listen to what is taking place.
2. If there is no opportunity for escape or hiding, it might be possible to negotiate with the shooter. After all other options have been exhausted, and as a very last resort, attempt to overcome the shooter with force if necessary.
3. If the shooter leaves your area and you can escape, proceed immediately to a safer place. Do not touch anything that is in the vicinity of the shooter.

If you must move to another location:

1. If you decide to flee during an active shooting situation, make sure you have an escape route and plan in mind.
2. Move quickly, keep your hands visible, and follow the instructions of any police officers you may encounter. Do not attempt to carry anything while fleeing.
3. Leave the wounded victims where they are and notify authorities of their location. Do not attempt to remove any injured persons.

Assisting police officers – Police officers responding to an active shooter are trained to advance immediately to the area in which the shots were last heard. The first responding officers will normally be in teams. They may be dressed in regular patrol uniforms, or they may be wearing external bulletproof vests, Kevlar helmets and other tactical equipment. They may be armed with rifles, shotguns, or handguns, and might be using pepper spray or tear gas to control the situation.

1. Remain calm, do as the officers tell you, and do not be afraid of them.
2. Always put down any bags or packages and keep your hands visible.
3. If you know where the shooter is, tell the officers.
4. The first officers will not stop to help people as their primary purpose at this point is to locate and neutralize the threat. Rescue teams with medical personnel will follow later.
5. Until you are released, remain at whatever assembly point authorities designate. Be aware that police will usually not let anyone leave until the situation is fully under control and all witnesses have been identified and questioned.

Weapons, combustible items, firearms, explosives, incendiary devices, or any instrument which can cause death, physical or property damage:

If you observe or suspect any of the aforementioned items on campus property, stay calm and immediately call 911. Then call Public Safety at 414-930-3333 or 414-807-9560.

Give the following information:

1. Name and description of individual in possession of weapon or device, if known.
2. Location of the weapon.
3. Whether the individual in possession of weapon or device has threatened anyone.
4. Any other details that may assist law enforcement in locating this individual.

Lockdown procedures - A lockdown is a temporary sheltering technique that converts any campus, building or room into a large safe area to limit exposure to an active shooter or other highly dangerous, ongoing incident. Lockdowns typically last for any amount of time between 30 minutes and several hours. When alerted, occupants of a building or room will lock all doors and windows not allowing entry or exit to anyone until an all-clear notification has been issued by law enforcement, emergency management and/or university officials. A lockdown will be announced via the campus emergency notification system using RAVE Alert, e-mail, MMU Web site. Once the notice to lockdown is issued:

1. Direct all students, staff and visitors into rooms or enclosed buildings, ensure all persons are inside.
2. Follow instructions; remain calm.
3. Do not remain in open areas such as hallways or corridors. Go to the nearest classroom or office.
4. Account for everyone in the room or office.
5. Close and lock all doors and windows. If you cannot lock the door, barricade it with desks, chairs, etc.
6. Turn off all lights.
7. Move all persons away from windows and doors.
8. Occupants should remain seated below window level.
9. Remain silent. Turn off all radios or other devices that emit sound. Silence cell phones.
10. If gunshots are heard, get on the floor, and utilize heavy objects, such as tables, filing cabinets, etc. to hide under or behind.
11. If outdoors, seek nearby shelter (large trees, walls, vehicles, etc.) and wait for additional instructions from appropriate law enforcement or campus authorities.
12. Do not allow anyone outside of locked rooms until an all-clear notification is given by law enforcement, emergency management and/or university officials.

B. BIOLOGICAL OR CHEMICAL ACCIDENT / HAZARDOUS MATERIAL

1. Refer to the posted directions in each biological or chemical lab regarding the location of spill kit and fire extinguisher.
2. Call Public Safety at 414-930-3333 or 414-807-9560. If the type and location of hazardous material is known, report that information to Public Safety.
3. Evacuate to a designated area – close doors as you leave.
4. If confronted by MMU Public Safety, Police or Fire officials, follow their directives.

C. FIRE/SMOKE

1. Pull the fire alarm and call Public Safety at 414-930-3333 or 414-807-9560. Evacuate students and staff. Keep streets, fire lanes, hydrant areas, and walkways clear for emergency vehicles and personnel.
2. Be aware of arrival of emergency responders. Public Safety or a designee will meet the fire department personnel and provide the location of the fire.
3. Take note of and report anyone missing.
4. Report missing persons to Public Safety immediately.
If trapped by fire, notify the fire department by calling 911 and Public Safety at 414-930-3333 or 414-807-9560.

5. Appropriate university officials may move students, faculty, or staff to a relocation site if the weather is inclement or a building is damaged.
6. Do not reenter buildings until they are declared safe by law enforcement, fire department and/or university officials.

D. MEDICAL EMERGENCY

Serious injury or illness:

1. Call Public Safety at 414-930-3333 or 414-807-9560. Public Safety will notify the fire department if immediate EMS response is needed.
2. Give full attention to the victim(s).
3. Do not attempt to move a person who is ill or injured unless he/she is in immediate danger of further injury.
4. If possible, isolate the affected student/staff member. Disperse onlookers and keep others from congregating in the area.
5. Check for vital signs. Initiate first aid and/or CPR, if you are trained.
6. Check breathing. Is the airway clear? Is the victim in a position to facilitate breathing?
7. Apply pressure on wound or elevate wound to help stop or slow bleeding.
8. Protect yourself from body fluids. Use gloves if available.

E. TORNADO OR SEVERE THUNDERSTORM

Tornado / severe thunderstorm WATCH has been issued for the area.

1. Monitor weather updates.
2. Review tornado / severe thunderstorm warning procedures (below) and be prepared to act.

Tornado WARNING has been issued or a tornado has been spotted near the campus.

1. Immediately move to the designated tornado shelter area. If you are unable to get to the designated tornado shelter area, try to get to the lowest level possible, ideally in an interior hallway (away from windows and avoiding long span roofs found in cafeteria and gymnasiums).
2. Department personnel, classroom instructors, etc. should make certain everyone vacates the office or classroom. Take note of and report anyone missing. Close office, classroom door, etc.
3. Remain in the designated tornado shelter area until Public Safety gives an "all clear" notification via the RAVE campus alert system.

F. SUICIDE OR THREAT OF SUICIDE

1. Call Public Safety at 414-930-3333 or 414-807-9560. Consider any student reference to suicide as serious.
2. If it is safe for you to do so, do not leave the individual alone. Stay with the individual until help arrives.
3. Try to calm the individual.
4. Isolate the individual or the area, if possible.
5. Initiate first aid if necessary.

G. SUSPICIOUS INDIVIDUAL OR VEHICLE

1. Call Public Safety at 414-930-3333 or 414-807-9560.
2. Note the individual's features, clothing, vehicle, where he/she is in the building, whether he/she is carrying a weapon or package, etc. Give Public Safety a full description of the individual.

Fire Safety at Mount Mary University

Firefighting equipment, alarm systems, and procedures are provided for the protection of life and property in compliance with the health regulations of the City of Milwaukee. To help ensure safety, periodic fire drills are scheduled each semester. The fire alarm system is also tested periodically. If the fire alarm is being tested, the beeping will be intermittent. However, a real fire alarm will be continuous. The University continually seeks to improve all safety features, including fire safety. There are no specific improvements currently planned.

Fire Procedures

- Pull fire alarm and call Public Safety at extension 414-930-3333 or 414-807-9560 from a non-campus phone.
- Identify a designated meeting area and evacuate the building.
- Close windows and doors as you exit. Do not use elevators.
- Keep streets, fire lanes, hydrant areas, and walkways clear for emergency vehicles and personnel.
- If confronted, follow directives by Public Safety, Police or Fire Department.
- Do not re-enter buildings until they are declared safe by Police, Fire Department, and/or university officials

Fire Safety Standards

- IT IS REQUIRED BY LAW THAT ALL PERSONS EXIT DURING A FIRE ALARM.
- Keep fire doors (stairwell doors) always closed to keep fire and smoke from spreading in the event of a fire.
- Even small fires can get out of hand. Smoke causes more damage and injury than most fires.
- If a fire does start in your room/office, close the window and door to keep the fire from spreading. Leave the room.
- Special directions are given for Christmas and other holiday decorating. Use non-combustible decorations and lights intended for normal indoor use only. Live trees are prohibited.

Fire Equipment- Caroline Residence Hall

It is each resident's responsibility to become familiar with the type and location of fire equipment and exits in her living area. Take time to check the various exits on every floor. Smoke detectors are provided in every residence hall bedroom and in the corridors. Do not deactivate them for any reason. If your smoke detector begins to beep which indicates that it needs a new battery, or the detector itself needs to be replaced, contact your RA to submit a maintenance request. Take time to check where the firefighting equipment is placed. There are fire extinguishers on every floor, and wired smoke detectors on every floor of the residence hall. This equipment is periodically checked and maintained.

Appliances

Some common electrical appliances pose a safety hazard in confined spaces. If your appliance is rated over 6 amps (700 watts), has an exposed heating element (e.g., coils), or is not Underwriters Laboratory (UL) listed, it is not permitted in your room. Appliances NOT permitted in resident rooms include microwave (other than the one provided), toaster, toaster oven, space heater, air conditioner, hot plate, deep fryer, candle warmers, George Foreman Grill, any fish tank over 10 gallons, coffee makers without an automatic shutoff, non-surge protected multi-plug devices, and halogen lamps. Violations of this policy can be subject to disciplinary action.

Candles

Lit candles and candle warmers constitute a danger of fire and are therefore **not** permitted in the residence hall. Only candles with unburned wicks—or have had the wicks removed—will be permitted. Staff members will confiscate all candle warmers and candles found burning or with black wicks and further disciplinary action may be taken.

Smoking

To promote a healthy environment for everyone, which is consistent with Mount Mary University's Mission Statement, all buildings on campus are smoke-free as of August 1, 1995.

Smoking will not be permitted less than 45 feet away from any building, except for certain designated areas. These areas are the concrete aprons on either side of the front doors of Haggerty Library; the tables and benches outside the southeast (North Dining Room of Bergstrom Hall - near the Student Parking Lot); the west exit of Kostka Hall at the parking lot; the linden arches of Caroline Hall, east of the exit at the Post Office. These areas are provided with receptacles for smoking materials. Students in non-compliance may face disciplinary action.

Mount Mary University Fire Statistic Report

On-Campus Residence Hall			
	2020	2021	2022
Fires	0	0	0
Fire Injuries	0	0	0
Fire Deaths	0	0	0
Value of Fire Damage	0	0	0
Supervised Fire Drills	1	1	2

SUMMARY

The Public Safety Department, along with the faculty and staff of Mount Mary University, continually works to ensure the safety of all persons within the campus community. All Mount Mary community members have important roles in preventing and reporting crime. Prompt reporting of incidents, personal awareness, and practicing crime prevention strategies are most important in reducing crime and staying safe. Fire safety is also very important to the university. All students, faculty and staff should be aware of the policies, equipment, and evacuation procedures to ensure the safety of the entire Mount Mary University community.