

# Gateway Technical College Policy Book

All Employees

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# **Gateway Technical College Administrative Procedures & College Practices Manual**

# Table of Contents

## K: Information Systems and Data Management

K-100 State and Federal Reporting . . . . .	9
K-120 DATA GOVERNANCE POLICY . . . . .	10

## A: Academic Management

A-100 Program Management . . . . .	13
A-101 Academic Schedule Development . . . . .	15
A-102 Academic Schedule Management . . . . .	16
A-105 Program Closing, Suspension, and Discontinuance . . . . .	18
A-106 Continuation of Program Content . . . . .	21
A-110 Instructional Resources, Equipment, and Software . . . . .	22
A-111 Post-Secondary Credit Hours . . . . .	24
A-112 Curriculum Development . . . . .	27
A-113 Curriculum Documentation . . . . .	29
A-114 Standardized Syllabus . . . . .	31
A-115 Student Learning . . . . .	33
A-116 Learning Management System . . . . .	35
A-120 Copyright Materials . . . . .	37
A-130 Advisory Committees . . . . .	38
A-140 Online Learning . . . . .	41
A-150 Instructor Qualifications . . . . .	43
A-160 Freedom of Expression in Teaching and Learning . . . . .	46

## B: Research and Planning Management

B-110 Research Policy . . . . .	47
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## C: Fiscal Management

C-110 Grant Management . . . . .	53
C-110a Financial Management . . . . .	54
C-110b Allowable Cost Policy . . . . .	55
C-110c Conflict of Interest in Federally Funded Projects . . . . .	56

# Table of Contents

## C: Fiscal Management

C-110d Mandatory Disclosures	57
C-110e Participant Support Costs	58
C-115 Grant Effort Reporting	61
C-120 District Travel	62
C-125 Post-Issuance Compliance Policy for Tax-Exempt and Tax-Advantaged...	69
C-130 Procurement	74
C-130a Procurement of Equipment, Services, and Supplies	82
C-130b Purchasing Card	83
C-130c Purchase of Food	85
C-140 Depository and Investment of Funds	88
C-144 Cash Management	89
C-145 Cash Receipt Policy	90
C-150 Contracts for Service	92
C-160 District Relations with Private Sector on Goods and Services	95
C-170 Capitalization Policy	97
C-500 Contract Review Procedures	101

## D: Information Systems Management

D-110 Telephone Usage	102
-----------------------	-----

## E: Facilities Management

E-100 Security Administration (Workplace Violence)	103
E-115 Facility Access and Control	107
E-120 Accident Reporting	110
E-130 Closing Facilities/Cancellation of Classes	111
E-135 Safety and Security Systems	113
E-137 Unmanned Aerial Systems (UAS) aka Drones	115
E-140 Media/Public Relations Response	117
E-150 District Buildings and Facilities	118
E-150a District Buildings and Facilities Events Procedures for External &...	123





# Table of Contents

## E: Facilities Management

E-152 Energy Policy	128
E-155 Tobacco-Free / Smoke-Free Policy	129
E-160 Private Sector Lease of District Property and Facilities	130
E-180 Print Shop	132
E-190 Hot Work Permits and Lockout Procedures	133
E-200 Disposal of College Property	137

## F: Records Management

F-100 Public Records and Property	139
F-100a Release of Public Records and Property Notice	140

## H: Working and Learning Environment

H-100 Open Door Communications	142
H-101 Visitor Code of Conduct	143
H-102 Children in the Workplace	146
H-105 Emergency Response Plan	147
H-106 Clery Act Compliance	148
H-107 Timely Warning and Emergency Notifications	153
H-110 Equal Opportunity, Civil Rights, and Sexual Harassment	157
H-120: Equity Resolution Procedure	213
H-130 Title IX Grievance Procedure	236
H-150 - Instructional Audio/Video Recording of Students	271
H-151 Closed Captioning	273
H-155 College Accessibility	277
H-160 Drug Free Workplace	278
H-161: Drug and Alcohol Abuse Prevention Program (DAAPP)	279
H-170 Solicitation/ Distribution/Posting	320
H-171: Free Speech and Peaceful Assembly	322
H-175 Political Activities	329
H-185 Social Media	330

# Table of Contents

## H: Working and Learning Environment

H-187 Digital Signage Policy	334
H-188 Website Privacy Policy	338
H-190 Computer, Networking, and Information Resources	340
H-190a Learning Innovation Division Information Security and Confidentiality...	342
H-190b Digital Communications	344
H-190c Technology Procurement	349
H-190d Data Security Policy	352
H-190e System Access, Identification, and Authentication Policy	357
H-190f Local and Remote Systems Protection	360
H-190g Information Security Incident Management	364
H-190h ERP System Access, Security, Updates, and Backup	367
H-190i - Gateway Technical College Password Policy	369
H-190j - Artificial Intelligence (AI) Usage Policy	371
H-192 Credit Card Processing and Security Policy	374
H-195 Identity Theft Prevention Program	378
H-199 Printing and Photocopying Policy	383
H-200 Gateway Photo ID Cards	385
H-210 Affinity Network Group Policy	386

## I-a: Management Policies and Procedures

I-110 Employee Code of Conduct	388
I-120 Recruitment and Employment	392
I-130 Position Descriptions	394
I-140 Employment Categories	395
I-150 Employee File	397
I-160 Initial Evaluation Period	398
I-190 Promotion and Transfer Opportunities	399
I-210 Progressive Discipline	400
I-215 Complaint Resolution Policy	402
I-220 Performance Evaluations	406

# Table of Contents

## I-a: Management Policies and Procedures

I-230 Employment Verification . . . . .	408
I-240 Employment of Relatives or Co-Habitants in the Same Household . . . . .	409
I-250 College Separation and Exit Interview . . . . .	410
I-260 Professional Development Funds . . . . .	411
I-265 Outside Legal Counsel . . . . .	412

## I-b: Payroll and Employee Benefits

I-135 Worker's Compensation . . . . .	413
I-145 Remote Work Policy . . . . .	417
I-270 Payroll . . . . .	421
I-280 Tax Deferred Investments . . . . .	422
I-290 Employees Summary of Benefits . . . . .	423
I-300 Early Retirement Program . . . . .	430
I-310 Normal Retirement Program . . . . .	431
I-325 Health and Wellness . . . . .	432
I-330 Family and Medical Leave Summary of Benefits . . . . .	433
I-350 Administrative Extra Employment . . . . .	439

## J: Student Management

J-095 Student Success Policy . . . . .	440
J-100 General Student Complaints . . . . .	441
J-101 Student Due Process Rights Academic Concerns . . . . .	443
J-110 Academic Standards . . . . .	444
J-111 Student Attendance Policy . . . . .	445
J-112 Student Active Duty Policy . . . . .	446
J-114 Academic Integrity . . . . .	447
J-120 Graduation Requirements . . . . .	450
J-140 Graduation With Honors . . . . .	452
J-150 Usage of Copyrighted Computer Resources . . . . .	453
J-160 Visitors and Guest Speakers in Classrooms . . . . .	455



# Table of Contents

## J: Student Management

J-170 Student Religious Accommodations . . . . .	456
J-180 School Admissions . . . . .	457
J-181 Recognition of Secondary School Education Programs . . . . .	460
J-182 Placement Testing and Retesting . . . . .	464
J-185 Student Background Checks . . . . .	466
J-190 Enrollment . . . . .	467
J-200 International Education . . . . .	468
J-210 International Students . . . . .	469
J-215 Residency Determination Policy . . . . .	470
J-216 Prior Debt Forgiveness . . . . .	472
J-217 Institutional and Employee Relationships with Educational Loan Lenders . . . . .	474
J-218 Financial Aid Overpayment . . . . .	476
J-220 Credit for Prior Learning (Prior Learning Assessment) Policy . . . . .	477
J-221 Transfer Credit Policy . . . . .	480
J-230 Student Government . . . . .	482
J-250 Student Grading System . . . . .	484
J-251 Academic Forgiveness . . . . .	486
J-280 Student Records . . . . .	488
J-300 Student Code of Conduct . . . . .	490
J-310 Student Health Requirements . . . . .	493
J-320 Solicitation of Business on District Property for Personal Gain by... . . . .	497



# STATE AND FEDERAL REPORTING

## POLICY

Colleague is the official reporting system for all state and federal reporting activities.

## PROCEDURE

1. All data for state and federal reporting will be generated through Colleague.
2. Any exceptions that will be allowed are those specifically authorized in writing by the President's Administrative Council (ELC).

This current revision supersedes previous revisions of this document.





# DATA GOVERNANCE POLICY

## Policy

The College applies formal guidelines to manage the College's data and assigns staff to implement them. The College's Data Governance Steering Committee meets to develop policies and standards and address any data issues and concerns.

The Data Governance Steering Committee is composed of Data Stewards who have the additional responsibility of creating awareness around data security and establishing consistent internal policies and procedures. Data Governance Steering Committee members are appointed by their divisional Vice Presidents.

## Policy Purpose

College data are institutional assets made up of physical or electronic data elements relevant to the operations, planning, or management of any division, department, or school at Gateway.

The purpose of Data Governance is:

1. To raise awareness and improve the understanding of college data elements, definitions, and procedures.
2. To establish roles and responsibilities around college data.
3. To ensure appropriate access levels.
4. To improve and maintain the security of the data, including confidentiality and protection from loss.
5. To improve and maintain the integrity of the data, resulting in greater accuracy, timeliness, and quality of information for decision-making.
6. To manage data from its creation to destruction.

## Policy Scope

This data governance policy applies to Gateway staff, authorized vendors, third party entities, partners, and collaborators who create, manage, or rely on college data.

## Definitions

**Data:** Information in a format that can be processed, stored, shared, or transmitted including electronic data and physical data.





**Sensitive Data:** Any information that is protected against unwarranted disclosure. Protection of sensitive data may be required for legal or ethical reasons or for issues pertaining to personal privacy. Sensitive data includes, but is not limited to:

- A. Personally Identifiable Information (PII), as defined by Wisconsin Legislature s. 19.62(5)
- B. Protected Health Information (PHI), as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- C. Student Records, as defined by the Family Educational Rights and Privacy Acts of 1974 (FERPA).
- D. Customer record information, as defined by the Gramm Leach Bliley Act (GLBA).
- E. Card holder data, as defined by the Payment Card Industry Data Security Standard (PCI DSS).
- F. Confidential personnel information, as defines by the Privacy Act of 1974.

**Data User:** Any individual or group listed in the scope of this policy who currently has, or has previously had, access to sensitive data.

**Data Steward:** Refers to the individuals responsible for defining and maintaining appropriate data handling procedures that are compliant with this policy and in accordance with relevant data protection laws, regulations, and standards. Data Stewards are also Data Users for the purposes of this policy.

Data Stewards authorize the use of data they are responsible for and monitor this use to verify appropriate data access. They support access by providing appropriate documentation and training to support college data users. Data Stewards are appointed by their divisional Vice Presidents based on responsibilities around data administration.

## Companion Gateway Data Policies are:

J-280 Student Records  
J-190 Enrolled Status  
H-190h ERP System Access, Security, Updates, and Backup  
H-190a Learning Innovation Division: Information Security & Confidentiality Policy  
H-190 Computer, Networking, and Information Resources  
H-190b Digital Communications  
H-190c Technology Procurement  
H-190d Data Security Policy  
H-190e System Access, Identification, and Authentication Policy  
H-192 Credit Card Processing and Security Policy  
H-195 Identity Theft Prevention Program  
H-197 Financial Systems Internal Controls  
E-200 Disposal of College Property





F-100 Public Records and Property  
F-100a Release of Public Records and Property Notice  
H-106 Cleary Act Compliance

This current revision supersedes previous revisions of this document.







## A-100 PROGRAM MANAGEMENT

### POLICY

Gateway Technical College shall have a program management procedure that enables the college to make efficient use of human, physical, and financial resources to reflect the mission of the college. The college reserves the right to consolidate offerings in a single location or deliver by alternative means.

### PROCEDURE

#### 1. Program Locations

- a. An official program location is a campus at which a student can complete all required courses in the program curriculum. Each program location admits, instructs, and graduates program students.
- b. Program locations are determined based on student demand/enrollment, workforce needs, and physical and financial resources for instructional delivery.
- c. Recommendations to change the location of a program at a campus to add a program to or remove a program from that campus are made by the dean of campus affairs or division dean and approved or disapproved by the executive vice of academic affairs.

#### 2. Program Productivity Review

- a. By September 30, the Institutional Effectiveness Division generates a program profile of each degree's and diploma's performance on the following key indicators of program effectiveness:
  - 1) Student demographics
  - 2) Dual credit enrollment
  - 3) Scheduling efficiency
  - 4) Enrollment trends
  - 5) Retention
  - 6) Milestone and program course completion
  - 7) Equity metrics
  - 8) Graduate satisfaction rates
  - 9) Graduation rates
  - 10) Graduate employment rate
  - 11) Assessment metrics
  - 12) Transfer rates
  - 13) Alignment to college retention and completion
- b. Each fall, deans will review the program profile data to determine areas of opportunity for continuous improvement. The deans will work collaboratively with program faculty to identify interventions and report on their findings to the executive vice president of academic affairs.
- c. Any changes to program status as a result of the review follows Policy A-105.

#### 3. Program Quality Review

- a. All technical diploma and associate degree programs participate in a program vitality process as part of the Wisconsin Technical College System (WTCS) Quality Review Program. Program vitality is a continuous improvement activity designed to strengthen programs and includes an in-depth study of environmental factors and program profile data. This review is conducted once every three years.
- b. All programs will participate in some program vitality activity annually, whether a full review or reporting updates on action items identified in the most recent program vitality plan.





#### 4. **New Program Development**

- a. New programs are developed according to the process outlined in the Program Effectiveness-Curriculum Manual, which begins with approval of the program concept by ELC and follows the internal and external (WTCS) steps and timelines.
- b. Except in cases of exceptional demand, a new program will be located at a single campus for its first year of operation.





## A-101 ACADEMIC SCHEDULE DEVELOPMENT

### POLICY

In developing its academic schedules, Gateway Technical College's chief priority is that students can readily meet all the course requirements in any given semester of their program (including core courses, general studies components, and prerequisites) without having unreasonable schedules. The schedule should be designed to allow students to take a full course load and have a reasonable degree of choice within the constraints of their program, in addition to recognizing the unique scheduling needs of part-time students. Other considerations in the development of the schedule include the following:

1. **Times** – Basic teaching periods are scheduled in order to respond to the requirements of the respective program or pedagogical needs.
2. **Programs** – Highest priority will be given to day/evening credit programs, followed by credit-based continuing education courses/programs, and then non-credit courses. Within any program, all courses (including core courses and general studies components, and courses offered via alternative delivery) should be equitably and fairly distributed across the entire day and week.
3. **Space** – The academic schedule should be balanced in terms of space usage over the entire day and week. In cases when specialized space or equipment is shared, every effort should be made to give all users reasonable access, taking account of pedagogical concerns. Laboratories should be fully utilized, bearing in mind technical and financial considerations. Utilization in this context includes student study and practice time.
4. **Resources** – The academic schedule will be designed to make most efficient and effective use of the college's available human, physical, and financial resources.
5. **Faculty** – The academic schedule will be designed so faculty can be scheduled per Employee Handbook language.
6. **Sequence** - The academic schedule will be based on the sequence of courses established by each program. Courses may be scheduled on the three-term calendar with the approval of the Program Curriculum Committee.

### PROCEDURE

1. The academic schedule is based on the following official college data:
  - a. Published sequences
  - b. Current and prior enrollment patterns by section, including capacity filled
  - c. Courses needed by continuing program students
  - d. Number of newly accepted program students
  - e. Program curriculum changes
  - f. Available human, physical, and financial resources
  - g. Scheduling software parameters and results
2. Academic scheduling is a continuous process including analysis of data and determination of course offerings. Academic scheduling deadlines are determined by the Academic Operations Office in consultation with the Registrar's Office.
3. Division deans are responsible for the development of the academic schedule.
4. The academic schedule may be modified based on enrollment according to Policy A-102 Academic Schedule Management.





## A-102 ACADEMIC SCHEDULE MANAGEMENT

### POLICY

Gateway Technical College shall have a schedule management procedure that assists the college to make decisions about courses with low enrollment and courses with waiting lists in order to maximize the number of courses that run at full capacity.

### PROCEDURE

1. Schedule Management Summit - All District schedule management summits will occur at least one (1) week prior to the start of the term (summer, fall, spring). All deans and associate deans will be present at the summit.

The registrar and academic advising will be invited.

a. Schedule management summits are designed to accomplish the following:

- 1) Focus on the needs of students
- 2) Focus on District-wide course management and efficiency
- 3) Decide to run, cancel, combine, delay start, or change delivery method of sections with low enrollment
- 4) Identify alternative sections for enrolled students
- 5) Make efficient and effective use of human, physical, and financial resources.

b. Schedule management decisions will be based on: District enrollment reports generated the day of the summit, and input from faculty and staff.

c. When a section is canceled, alternatives for students will be identified at the schedule management summit and communicated to student services. Student services is responsible for contacting students in canceled sections and assisting them in adjusting their schedules.

d. Any resulting workload issues will be handled by the dean following Employee Handbook procedures.

### 2.. Minimum Enrollment Guidelines

Minimum enrollment of fifteen (15) students, or for sections that have caps of 12 or under at least seventy-five percent (75%) capacity will be required to run any course section with the following exceptions:

- a. Sections of second, third, and fourth term courses in a published sequence may be run with less than minimum enrollment with an alternative location, alternative schedule/start date, and/or alternative delivery method/format.
- b. New programs may run traditional sections with less than minimum enrollment during their first three years.





- c. Classes required for students to complete a suspended or discontinued program may run with less than minimum enrollment according to the published 3-year suspension/discontinuance plan.
  - d. ABE, ELL, ACE Workshops/Seminars, and Apprenticeship
3. The executive vice president of academic affairs is responsible for the overall effectiveness of the academic schedule in terms of student responsiveness, course efficiency, and fiscal responsibility.



## A-105 PROGRAM CLOSING, SUSPENSION, AND DISCONTINUANCE

### POLICY

Occupational programs that no longer meet an identifiable workforce need or fail to meet minimum performance expectations for the college will be studied and improved. Programs that cannot be improved will be discontinued so that the college's resources can be reallocated toward new and existing programs that better serve our customers.

### PROCEDURE

#### 1. Identification

- a. Programs which no longer meet an identifiable workforce need or fail to meet minimum performance expectations (see Policy A-100), or lack sufficient enrollment to be economically viable, will be identified by a division dean or Executive VP-Academic Affairs.
- b. Programs with deficiencies may also be identified through the program performance review process.

#### 2. Status

- a. The Executive VP-Academic Affairs in collaboration with ELC will make decisions on program status based on the recommendations of the division dean and the research gathered during the identification process. Recommendations to close or suspend programs must include planned steps to improve the program. All recommendations to change the status of a program should be based on enrollment data, labor market analysis, graduate and placement data, and/or other substantive research.
- b. Programs will be classified as open/active, closed, suspended, or discontinued.

Status	Admission	State Office Designation	Term	Resolution
Open/Active	Admitting students and scheduling all courses	Active	On-going	
Closed	Admitting no new students and scheduling no first semester classes. Previously enrolled students may continue in sequence for up to three (3) years.	Active	One (1) year	Evaluation activities must lead to a recommendation within one (1) year.
Suspended	Admitting no new students and scheduling only classes required by students continuing in sequence for up to three (3) years.	Suspended (file forms with state)	Up to three (3) years	Evaluation activities must lead to a recommendation within three (3) years. State must be notified to reactivate program within three (3) years or program is discontinued at state level.
Discontinued	Admitting no new students and scheduling only classes required by students continuing in sequence for up to three (3).	Discontinued (file forms with state)	Permanent	Discontinued programs cannot be reactivated. New offerings in subject area must be investigated as new programs.

**3. Closing a program:**

- a. Programs may be closed when deficiencies would disadvantage students starting the program or when enrollments drop below acceptable levels (See Policy A-100).
- b. Closing a program is a short-term measure. Closed programs should stand a reasonable chance of being reopened after study and correction of program deficiencies or exploration of new enrollment sources.
- c. The decision to close a program will be communicated to all student services personnel, academic administrators, faculty, and program applicants. Currently accepted students will be assured that they may continue to take courses and graduate from the program. Curriculum sheets will not be printed for closed programs. Closed programs will not appear in the catalog. (See PE/Curriculum Process User's Guide for detailed enrollment management procedures.)
- d. Program advisory committee should continue to meet to monitor progress of improvement strategies.
- e. Within one (1) year, the division dean must present a recommendation supported by research and discussed with the advisory committee to reopen, suspend, or discontinue the program.

**4. Suspending a program:**

- a. Programs may be suspended when significant deficiencies would disadvantage students starting the program or when program improvement efforts fail to reverse a low program performance. Closing should be considered as an option before suspension.
- b. Suspending a program is a long-term measure. Suspended programs will likely require wholesale revision and reorganization and stand as good a chance of being discontinued as reopened after study and program improvement activities.
- c. Suspension paperwork will be filed with the state office and must include advisory committee minutes discussing suspension.
- d. The decision to suspend a program will be communicated to all student services personnel, academic administrators, faculty, and program students. Currently accepted students will be assured that they may continue to take courses and graduate from the program according to the plan established by the dean. Suspended programs will be deleted from the catalog and all public materials. (See PE/Curriculum Process User's Guide for detailed enrollment management procedures.)
- e. Program advisory committee should meet as needed to monitor progress of improvement strategies.
- f. Within three (3) years, the division dean must present a recommendation supported by research and discussed with the advisory committee to reopen or discontinue the program.
- g. Reopening a suspended program requires that the curriculum office file a reactivation form with the state office.

**5. Discontinuing a program:**

- a. Programs may be discontinued when the occupation ceases to exist, when the content is incorporated into a separate new or existing program, or when program improvement efforts fail to reverse low program performance. Closing and suspension should be considered as options before discontinuance.
- b. Discontinuing a program is a permanent measure. Discontinued programs cannot be reopened. Any new programming in the subject area must go through the new program investigation process at the state level.





- c. Discontinuance paperwork will be filed with the state office.
- d. The decision to discontinue a program will be communicated to all student services personnel, academic administrators, faculty, and program students. Currently accepted students will be assured that they may continue to take courses and graduate from the program according to the published plan. Discontinued programs will be deleted from the catalog and all public materials.. (See PE/Curriculum Process User's Guide for detailed enrollment management procedures.)







## A-106 CONTINUATION OF PROGRAM CONTENT

### **POLICY**

When an occupational program is relocated, closed, suspended, or discontinued, the college will make appropriate efforts to provide instruction in the subject area in order to meet our customers' needs. This can be accomplished by repackaging the content in other formats than the degree or diploma program. Often the content is still valuable, but the degree or diploma package is not. The decision to relocate, close, suspend, or discontinue a degree or diploma program should not be viewed as abandoning content in that subject area.

### **PROCEDURE**

1. When a program is relocated, students will be directed to our other locations where the program is offered. Individual courses that support other programs or meet other customer needs may still be offered by the campus.
2. When a program is closed or suspended, the division dean will work with the curriculum committee, advisory committee, state consultant, counseling staff, and other resources to determine the best way to meet customer needs for instruction in the subject area.
3. If the college determines that a program should be discontinued, the content of the program might be repackaged in one or more of the following ways:
  - a. Course(s) added to an existing degree or diploma program
  - b. Individual course offerings as credit-based continuing education
  - c. Gateway certificates containing a defined set of courses as credit-based continuing education.
  - d. Advanced technical certificates built to follow completion of an active associate degree program.
  - e. Individual Technical Studies degrees designed by individual learners in collaboration with the college and their employer.





## A-110 INSTRUCTIONAL RESOURCES, EQUIPMENT, AND SOFTWARE

### POLICY

Gateway provides every student with the same high-quality educational experience at all Gateway locations. In order to achieve this goal, textbooks and instructional materials, instructional equipment, and computer hardware and software are to be selected on a District-wide basis.

### STANDARDS

Gateway Technical College has established the following standards by which this policy is to be measured:

1. **All instructional resources will comply with current ADA compliance requirements.** In compliance with Section 504 and ADA requirements, all materials distributed to students, whether in-class or online, in hard copy or electronic format, must be accessible so that those with auditory, visual, and other disabilities and those who use adaptive technology software, such as screen readers. All videos must be captioned and documents (Word, PDF, etc.), slides and other presentation materials and programs must be developed with accessibility in mind.
2. **Textbooks and other instructional materials such as study guides, tutorials, videos and tools/kits:** shall be reviewed at least every three (3) calendar years of their initial purchase date, renewal date, copyright or manufacturer/publish release date.
3. **Instructional equipment:** shall be reviewed at least seven (7) calendar years of their initial purchase date or manufacturer release with the intent to maintain current/state-of-the-art instructional equipment.
4. **Academic software applications, instructional video or audio recordings, and instructional computer-based equipment:** shall be reviewed at least every three (3) calendar years of their initial creation date, renewal date, purchase date or manufacturer/publish release date.
5. **Physical desktop hardware (desktops, laptops, peripherals):** shall be reviewed at least every five (5) calendar years of their initial purchase date or manufacture date.
6. **Virtual desktop hardware (desktops, thin-clients, zero-clients):** shall be reviewed at least every seven (7) calendar years of their initial purchase date or manufacture date.
7. **Desktop display hardware (lcd and led monitors):** shall be reviewed at least every nine (9) calendar years of their initial purchase date or manufacture date.
8. **Multimedia equipment, room controls, and related peripherals:** shall be reviewed at least every seven (7) calendar years of their initial purchase date or manufacture date

### PROCEDURE

1. **Selection Criteria**
  - a. Textbooks and other instructional materials such as study guides, tutorials, videos and tools/kits will be consistent District-wide.
  - b. Faculty are encouraged to consider timeliness of content, readability, available ancillary materials, and cost to students when selecting textbooks and instructional materials.
  - c. Software and hardware will be consistent District-wide. When labs are shared by multiple programs, the configuration recommendation must come from the joint curriculum committees.
2. **Adoption**
  - a. All faculty teaching sections of a course on a campus are required to use all of the selected instructional resources for that course.
  - b. The decision to use no textbook must be approved by the District-wide program faculty and the program dean. No faculty will use a textbook in this case.





### 3. Syllabi

The titles of all required textbooks and instructional resources supplies, and equipment must be listed in every course syllabus. If the program requires the student to provide a laptop, the laptop hardware and software specifications and minimum requirements must be posted in the bookstores across the college.

### 4. Review

- a. Textbook and instructional resource selections will be reviewed annually by the District-wide program faculty.
- b. Final approval resides with the program dean.

## ANNUAL IMPLEMENTATION CYCLE

This policy will be implemented through the following steps on an annual basis in preparation for the Summer session.

1. Each curriculum committee will:
  - a. Determine all of the instructional resource requirements (i.e., textbooks, instructional equipment, hardware, software, and media).
  - b. Appoint a faculty member to work with the computer technician(s).
  - c. Complete the curriculum, committee instructional resources recommendation sheet(s).  
Submit these requirements to the program dean for review *by the first week of March every year.*
2. After the instructional resources recommendation sheet has been submitted:
  - a. Computer technicians will work with the appointed faculty member to verify the computers meet the minimum configurations required.
  - b. The recommendation sheet will be provided to the program dean for action. The dean can take the following actions:
    - 1) Reject the Request
    - 2) Approve
      - a) Immediate operational budget purchase.
      - b) Immediate capital budget purchase.
      - c) Placed on next capital budget purchase cycle (next year)
    - 3) Hold
      - a) Until operating or capital funds are available.
      - b) Until additional research is completed.
    - 4) Request More Information
    - 5) No Action Required - If no new instructional resources (i.e, software) are needed.
  - c. The program dean will communicate the decision to curriculum chair(s) and the technology support coordinator.





## **A-111 POST-SECONDARY CREDIT HOURS**

Gateway Technical College assigns post-secondary credits based upon the Wisconsin Technical College System (WTCS) definition of credits and potential hours of instruction (PHI), that is, 50-minute instructional periods within an 18-week semester term. Instructional time to credit conversion is based on the type of instruction. For example, in a traditional lecture course, one associate degree credit is granted for eighteen 50-minute periods (900 minutes) of instructor-student contact, with another thirty-six 50-minute hours (1800 minutes) of expected student effort outside the classroom (homework). The WTCS credit hour structure aligns with the Carnegie Unit/Student Hour conventions.

The requirement for regular and substantive student-instructor interaction is a feature that is preserved across all formats of instruction; how that requirement is met will differ across different course formats and modes of instruction. A self-paced or accelerated course format will have distinctive levels of regular and substantive instructor interaction consistent with higher education standards. Substantive interaction may take the form of instructor-guided problem solving or discussion formats. There is no single comprehensive definition for regular and substantive student-instructor interaction.

### **Traditional Modes of Instruction**

The following table provides examples of the types of instruction available in the WTCS and the hours of instruction required to equal one degree credit for the Associate Degree and Technical Diploma programs.

Instruction Type	50-minute Hours of Instruction Equal to 1 Credit			
	Associate Degree		Technical Diploma	
	Instruction	<i>Outside Effort</i>	Instruction	<i>Outside Effort</i>
Type A: Lecture	18	36	36	18
Type B: On-Campus Laboratory	36	18	36	18
Type C: Individualized/ Independent Instruction & Selected Clinical, Extended Laboratory, and/or Shop Experience	54	0	54	0
Type D: Simulated or Actual Occupational Experience	72	0	72	0
Type E: On-the-Job Experiences	216	0	216	0

### **Other Instructional Methodologies**

Gateway offers courses in multiple delivery formats beyond traditional classroom instruction in order to meet the needs of its diverse student population. The following modes of delivery follow the same instructional hour-to-credit conversion as traditional face-to-face courses:



- **Compressed courses** - Total instructional hours delivered in a shortened number of weeks with more weekly hours required.
- **Online courses** - Assigned learning activities, both synchronous and asynchronous, equal to the instructional hours of face-to-face course.
- **Blended courses** - Combined face-to-face instructional hours and assigned synchronous and asynchronous learning activities equal to the instructional hours of face-to-face course.

Additional modes of delivery shift learning activities from the classroom instructional hours to the expected outside effort required of students. Learning outcomes and assessment standards are the same as those of traditional courses.

- **Accelerated Instruction** - Classroom instruction used for group discussion, group presentations, and mini-lectures on content students acquire through outside effort.
- **Directed study** - Reserved for reduced enrollment (2-9 students). Students acquire content through outside effort; classroom time reduced for individual consultation, presentations, and mini-lectures.
- **Independent study** - Instructor contact for design and assessment of individualized learning project assigned to a single student.

The following table shows the required instructional hours to earn one credit for the above modes of delivery:

Instruction Type		50-minute Hours of Instruction Equal to 1 Credit			
		Associate Degree		Technical Diploma	
		Instruction	<i>Outside Effort</i>	Instruction	<i>Outside Effort</i>
Accelerated Instruction	Type A: Lecture	6	48	NA	NA
	Type B: On-Campus Laboratory	12	42	NA	NA
Directed Study 2-5 students	Type A: Lecture	6	48	12	42
	Type B: On-Campus Laboratory	12	42	12	42
Directed Study 6-9 students	Type A: Lecture	12	42	24	30
	Type B: On-Campus Laboratory	24	30	24	30
Independent Study	Type A: Lecture	3	51	6	48
	Type B: On-Campus Laboratory	6	48	6	48





## Apprenticeship Instruction

Apprenticeships combine both on-the-job experience and post-secondary classroom instruction; therefore, the credit calculation is different than for other programs and allows for incremental credits rather than whole credits. The following table shows the equivalent hours of instruction needed for each quarter apprenticeship credit according to the WTCS.

Hours of Instruction	Equivalent Credit
1-9	0.25
10-18	0.50
19-27	0.75
28-36	1.00

Gateway also offers pre-college and non-credit instruction below the post-secondary level. Credits for these courses do not count toward post-secondary credentials and cannot be converted to post-secondary credit. Those courses are calculated according to unique systems provided by the WTCS.



## A-112 CURRICULUM DEVELOPMENT

### POLICY

Gateway Technical College's curriculum identifies the knowledge, skills, and behaviors required for employment and for personal and professional development. Curriculum consists of programs with specific high-level learning outcomes and courses that support student achievement of the outcomes. Curriculum content and instructional activities are developed to meet the needs of specific groups of learners and presented in associate degrees, diplomas, certificates, apprenticeships, and continuing education. The development of curriculum is a faculty-driven process informed by the expertise of instructors, support staff, administrators, customers, and stakeholders of the college within the policies of the administration, who have final authority for determining the college curriculum.

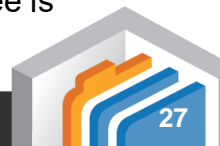
### PROCEDURE

#### Curriculum Content/Structure

1. All curriculum will conform to the curriculum requirements established by the Wisconsin Technical College System (WTCS).
2. Gateway will participate in the development of and adopt the resulting curriculum from all state-wide curriculum projects. Gateway will strongly promote the inclusion of global or national skill standards as the basis for state curriculum projects.
3. All college-developed program curricula will be based on industry-validated global or national skill standards while allowing the addition of content to address locally identified needs. In the absence of global or national skill standards, regional or state standards will be the basis for curriculum. In the absence of regional or state standards, locally validated standards will be developed.
4. All programs will identify appropriate embedded credentials, credit for prior learning opportunities, and articulations to create a seamless career pathway to careers and further education for students.
5. All program curricula will meet the following additional requirements:
  - a. All programs will include performance-based competencies, performance standards, and learning objectives that develop all of the college's Essential Career Competencies.
  - b. All programs will include sufficient requisites to create a clear, well-structured pathway to completion in which introductory courses lead to more advanced courses or capstones and in which the first required credit writing and math courses are sequenced within the first two semesters (usually within the first 24 credits).
  - c. All programs will include Gateway's first-year experience course unless granted a waiver by the Executive VP-Academic Affairs.
  - d. All associate degree programs will include competencies within their general studies core courses that develop skills and knowledge related to cultural competence.
  - e. All associate degree programs will include competencies that develop computer and digital literacy.
  - f. All technical diploma programs of forty-five (45) or more credits will include two (2) technical diploma-level general studies courses. Programs of less than forty-five (45) credits are strongly encouraged to include appropriate general studies courses.

#### District Curriculum Committee

1. The college will maintain a District Curriculum Committee, which is made up of faculty, support staff, and administrative representatives. The mission of the District Curriculum Committee is to review and approve curriculum for existing and proposed programs.





2. The District Curriculum Committee's approval process involves reviewing justifications for the curriculum creation or change and evaluating proposals to ensure that they meet established criteria required for successful curriculum creation or change.
3. Approval Criteria: The District Curriculum Committee may only approve curriculum that:
  - a. aligns with and advances the college's mission, vision, values, ends policy, and strategic plan
  - b. complies with WTCS curriculum guidelines and requirements
  - c. complies with the college's published policies, procedures, guidelines, and requirements
  - d. meets needs of stakeholders as identified by industry data
  - e. does not adversely affect other programs or instructional areas
  - f. can be delivered feasibly with consideration for finances, facilities, scheduling parameters, and student and instructional support
  - g. does not adversely affect students currently enrolled or alumni graduated from the program
  - h. considers the impact on articulation agreements
  - i. documents a path for students enrolled in the program to complete the program in a reasonable amount of time
  - j. contains course data that is complete and rational (course description, numbering, title, credit, hours, prerequisites, sequence, balance, etc.)
4. If a requested change falls outside the criteria, the request will be sent to the Executive VP-Academic Affairs for review along with the District Curriculum Committee's recommendation.
5. The District Curriculum Committee determines the procedures that direct the development, modification, and maintenance of curriculum. Curriculum procedures may not:
  - a. require an unreasonable amount of staff time or other college resources
  - b. create conflicts with college policies, procedures, or management practices
  - c. exclude input or representation from any campus or department identified as a stakeholder in the curriculum process
6. All curriculum procedures for the college will be documented in the Program Effectiveness-Curriculum Manual.







## A-113 CURRICULUM DOCUMENTATION

### POLICY

Gateway Technical College maintains official documentation of all its locally-developed curriculum, credit and non-credit, in the web-based Worldwide Instructional Design System (WIDS) repository. All Gateway employees can view WIDS content. Faculty with approved curriculum development assignments can modify course content in WIDS.

### PROCEDURE

1. New courses and existing courses identified as needing revision are developed according to the standards provided by WTCS and Institutional Effectiveness and must contain the following elements in WIDS:
  - a. Course Information
    - Title (as it appears in Colleague)
    - Description (as it appears in Colleague)
    - Instructional level
    - Total credits
    - Total hours
    - Configuration
    - Credit for prior learning information
    - Pre-requisites
    - Co-requisite
  - b. Standards and Outcomes
    - Program outcomes (occupational programs)
    - External occupational and professional standards
    - Gateway essential career competencies
  - c. Course Detail
    - Competencies
    - Linked program outcomes
    - Linked external occupational and professional standards
    - Linked essential career competencies
    - Assessment strategies
    - Assessment criteria
    - Learning objectives
2. Additional course elements will be documented in WIDS when required by grant funding or other special situations.
3. Program documentation in WIDS includes the following:
  - a. Program title
  - b. Program description
  - c. Program outcomes (including essential career competencies)
  - d. Program external standards
  - e. Program course list
  - f. Program configuration
  - g. Program history
4. Course and program content will be reviewed by Institutional Effectiveness. When the content meets Wisconsin Technical College System (WTCS) and Gateway standards, it will be made active and accessible to all Gateway employees, in WIDS.





5. Institutional Effectiveness provides support for using and developing course and program content in WIDS.





## A-114

### Standard Syllabus

#### Policy

Gateway Technical College shall provide students with a course syllabus for each section in which they are enrolled (Post secondary and Pre College). Course syllabi will be consistently organized and formatted following a master template. Copies of all course syllabi will be maintained by each school and division. This policy will be reviewed annually.

#### Procedure

1. A master syllabus template will be maintained for each course offered by a school or division.
2. Faculty will create a copy of the master template using the most current version for their course and submit their updated syllabi to the repository at least two days before the start of the class.
3. Faculty may customize only the content in brackets.
4. The course syllabi will contain all rules and requirements for which students and instructors will be accountable. Any course section rules or requirements not contained in the course syllabi will not be enforceable.
5. The course syllabi will be shared via the LMS in the course's section under the syllabus button on the navigation link and will be submitted to the repository and uploaded to the LMS at least 2 days before the first day of class.
6. All course syllabi will be stored in one central repository in PDF format.
7. Faculty may provide supplemental information to students in formats other than the master syllabus format. Supplemental information does not replace or supersede the requirements and policies in the course syllabus.
8. While major changes should be avoided The instructor may make changes to course section-specific content such as assignments and the calendar at the instructor's discretion. All changes will be dated, posted, and announced in the LMS.
9. All course syllabi will be saved under the following naming convention: course #, course name, instructor's last name, and initial of first name. Syllabus course example: (520-101-2K11 Intro to Human Services Johnson R)
10. Schools and divisions will save program syllabi in the central repository by program, year, and term. Program folder example: Human Services, 2018 Fall.

#### Standardized Syllabus Order of Components:

1. Course Title
2. Semester & Year , Course Number, Number of Credits
3. Course Meeting Times and Days
4. Start date/End Date
5. Instructional Delivery Method
6. Course meeting location: College, Campus, Address Building Room Number
7. Instructor Name
8. Instructor's Email Address
9. Instructor's Phone Number
10. Instructor's Office Location/Room



11. Instructor's Office Hours
12. Course Description
13. Required Text(s)/Materials
14. Course Competencies
15. Course Outcome Summaries (Hyperlinked)
16. Essential Career Competencies (Hyperlinked)
17. Course Section Requirements & Policies (Customizable by Instructor)
18. Departmental Policies (Developed By the Departments, Hyperlinked)
19. College Policies (Title IX, DSS, Pandemic, etc.. Hyperlinked)
20. College Resources
21. Revision Date

Updated 9/24: changed Blackboard to LMS and revised repository process





## POLICY

Gateway Technical College values on-going dialogue among faculty, staff, and the community and continuous improvement of student learning. The college recognizes that student learning occurs in many settings, and every college function has a connection to student learning. Data collected through the systematic assessment of student learning of both occupational skills and essential career competencies is a primary factor in planning, budgeting, and evaluation within the college. All employees contribute to an environment that supports student learning. Focusing on student learning advances the college's strategic drivers of excellence: "Attract and develop engaged students" and "deliver program and service excellence."

## PROCEDURE

1. The college supports on-going dialogue to improve student learning by
  - a. Assigning an Instructional Design Strategist to facilitate processes and lead the college dialogue on learning
  - b. Appointing a faculty-driven Student Learning Committee to oversee processes and assist the coordinator in improving processes for student learning
  - c. Assigning Program Effectiveness Coordinators to collect and submit student learning documentation
  - d. Maintaining a central repository of Student Learning results for each program to assist in analysis and reporting of outcomes
  - e. Providing technical assistance and support to faculty and staff engaged in student learning assessment
  - f. Providing training in the design and assessment of student learning
  - g. Budgeting adequate resources to support activities that improve student learning
  - h. Considering commitment to student learning in faculty hiring and evaluation processes, including ability to assess learning effectively.
  - i. Participating in state-level initiatives (e.g., technical skill attainment) related to assessment of student learning.
2. The college expects faculty as well as staff in co-curricular programs to engage in the on-going dialogue on student learning by
  - a. Designing and conducting annual assessments of student learning at the program level and implementing action plans to improve learning. Assessment will be designed, to the fullest extent possible, in a manner that makes them accessible to students with visual and other disabilities.
  - b. Participating in college-wide assessments of student learning of the college's essential career competencies.
  - c. Reporting results of the program student learning plan activities through its program effectiveness coordinator by the prescribed deadlines.
  - d. Discussing the program student learning plan with program advisory committees at least once each semester and incorporating their feedback where applicable.
3. The college encourages all employees to engage in on-going dialogue about student learning by
  - a. Identifying individually and within work teams and departments the value each employee adds to the student learning environment





- D. Suggesting and implementing changes throughout the college that will improve student learning.





## A-116 Learning Management System

### Policy

Gateway Technical College uses an online Learning Management System (LMS) to provide an engaging, technology-enhanced teaching and learning experience for faculty and students. The LMS provides learners with a consistent, user-friendly, high-quality learning environment across all their credit classes. This policy outlines the required and recommended practices associated with Gateway's LMS.

### Definitions

1. Learning Management System -an online integrated software tool used to create, distribute, manage, and report on the delivery of educational content and outcomes
2. Course Shell - a customizable user interface within the LMS that houses menus, folders, assignments, and instructions for an individual course, designated by the course number
  - a. Gateway Master - A course shell containing official learning resources to be used by all instructors of a specific course. Gateway masters are used as templates and are copied to create faculty templates.
  - b. Curriculum Development Shell - A course shell used by faculty assigned to create a Gateway Master for a specific course
  - c. Faculty Template - A numbered course shell created from the college's standard course shell or an approved alternative in which an instructor builds out their course content.
  - d. Blueprint - a course template that can be viewed or copied into a number course shell. There is a blueprint for the standardized course shell and blueprints provided by departments/schools as course blueprints.
3. GPS - Gateway Pedagogy Standards created by the Faculty Teaching and Learning Caucus as recommended best practices for teaching and learning

### Procedures

1. The college will identify one official LMS for all Gateway courses. Publisher websites or other online platforms may not be used in place of the college's LMS. Other educational partners delivering Gateway courses may use their institution's LMS if it meets the minimum requirements in section 3 below.
2. All sections of credit courses will have a numbered course shell created using the standard template for the college unless a standard division or department template has been previously approved. All LMS course shells (Gateway master, curriculum development, faculty template, and any other shell types) and their contents are the intellectual property of Gateway Technical College; see Section 4.24 of the Employee Handbook for more information on intellectual property.
3. All course shells used in for-credit courses, regardless of mode of delivery, will include:
  - a. Instructor Syllabus and college policies and resources posted under the Syllabus and Instructor Information area





- b. All grades and their calculations, updated weekly or as assignment grades, are entered into the College's LMS gradebook.
4. Course shells will be opened, that is, made available to students enrolled in the course no later than 8 a.m. on the first date listed in Self Service for asynchronous online classes or the start time of the first class meeting for OSYNC, blended, hybrid, or face-to-face classes.
5. The college highly encourages instructors to employ these best practices to enhance the learning experience:
  - a. Post a welcome message/ announcement before the class begins
  - b. Use a discussion board or other online tool for students to ask questions
  - c. Post instructor information under the Syllabus and Instructor Information button
  - d. Add navigation information to Start Here button
  - e. Add course materials--slides, recordings, resources--for student reference
  - f. Provide learner-to-learner, learner-to-instructor, and learner-to-content opportunities throughout the course.
  - g. Employ frequent and appropriate methods to assess learners' progress/practice toward mastery of content.
  - h. Share rubrics (assessment criteria) associated with a discussion board, assignments, or grade center column

The college provides the GPS [Syllabus and Brightspace rubric](#) to assist faculty in improving their LMS course shells.

Updated 12/15/2023 - aligned to new LMS - Brightspace





## A-120 COPYRIGHT MATERIALS

### POLICY

It is the policy of Gateway Technical College to assist and encourage its faculty and staff to produce copyrightable material in the form of computer programs, diagnostic tests, books, musical or dramatic compositions, motion pictures, audio-visual materials, internal course materials, paintings, sculptures, computer generated course material, or other works, which will be referred to throughout this policy statement as “**creative works**.” This policy is intended to provide an incentive for creative intellectual effort; to protect and promote traditional academic freedom in matters of publication; to balance the equitable rights of employees, sponsors, and the College; and to ensure the dissemination of creative works for the public benefit.

### APPLICABILITY OF THE POLICY

This policy applies to all copyrightable material developed by employees of the College not otherwise designated within the collective bargaining agreements.

### CATEGORIES OF CREATIVE WORKS

Creative works are defined as follows.

#### 1. Individual Works

Copyrightable creative works produced by employees of the College shall be the property of those employees if there is no significant use of college personnel or facilities (Libraries and Internet access excluded) and the materials are not prepared pursuant to the terms of a contract or grant as specific assignment. A faculty member’s general obligation to produce scholarly and creative works does not constitute a “specific assignment.”

#### 2. College-Assisted or College-Assigned Works

- a. Copyrightable creative works produced by employees shall be the property of the College if there is significant use of college personnel or facilities. Significant use includes the use of clerical and other staff and the use of college equipment in preparing the creative work.
- b. The College reserves the right to obtain copyright in its name for college-assisted works.

#### 3. Sponsor-Supported Works

Ownership of copyrightable creative works developed as a result of work supported partially or fully by an outside agency through a contract or grant with the College shall be disposed of in accordance with the terms of the contract or grant. In the absence of such terms, the material shall be the property of the College, and net royalties received by the College will be distributed as described in the preceding section.

### PROCEDURE

1. As soon as reasonably possible in each case, the president or designee shall be informed of all creative works produced by college employees other than individual works. The president or designee shall be kept fully informed, in writing, of the progress of such works.

The president or designee shall determine in which category a particular creative work belongs, and shall determine in whose name the work shall be copyrighted unless the work is an individual work. For all works in which the employee has full ownership, the employee shall execute all documents, including copyright applications, assignments, and other instruments which are necessary to carry out the provision of this policy. For all works in which the College has the entire interest, the College shall execute all necessary documents.





## A-130 ADVISORY COMMITTEES

### POLICY

Advisory committees provide Gateway Technical College with valuable advice on current labor needs, future trends and appropriateness of the outcomes of our educational programs and services. Thus, the college must be attentive and responsive to the views expressed by members of business, industry, and labor in the Gateway District.

### PROCEDURE

#### Scope of Responsibilities

1. Advisory committees provide the college with information and advice to enhance its educational programs and plans from their perspective as current practitioners in the fields for which Gateway educates students.
2. Advisory committees are also asked to endorse modifications to the program curriculum proposed by the college, program vitality plans, and some grant applications to ensure they are aligned with the needs of our employers.

#### Committee Structure

1. Each occupational program shall have one and only one advisory committee. If two or more programs share a substantial number of courses (such as an embedded diploma program and its parent program) or prepare graduates for similar occupational outcomes, the programs may request approval to share a single advisory committee.
2. A minimum of nine advisors representing the three counties of the District will be maintained as active members of the advisory committee. Advisors who do not attend meetings or communicate with the college are considered inactive and are replaced.
3. The program's dean (hereafter, "the dean") and a program effectiveness coordinator (curriculum committee chair) shall serve as ex-officio, non-voting resource members of the committee.
4. Each advisory committee shall select a chairperson from the voting members. The chair serves a one-year renewable term. Committees are encouraged to rotate these responsibilities. The chairperson works with the dean to set the meeting agenda and lead the advisory committee meetings.

#### Membership

1. Appointment to the advisory committee is approved by the Gateway Board of Trustees based on the recommendation of the administration. An effort will be made to ensure a balance of employer and employee, male and female, minority and geographic representation. Advisors may come from organizations and associations of each occupation. Alumni are encouraged to serve as advisors.
2. Advisors must meet the following qualifications for membership:
  - a. Advisors must be employed in or affiliated with the occupation.
  - b. Advisors must be employed in or be residents of the Gateway District.
  - c. Advisors must not be full-time Gateway faculty members.
  - d. Advisors must not be enrolled in the program which they are advising.
3. If the pool of available advisors is limited by the specialized nature of the occupation, the District may appoint non-residents and/or adjunct instructors to the advisory committee. Such exceptions will be documented to avoid conflicts of interest.
4. In order to provide an on-going rotation of fresh perspectives to the college, new advisors are recruited annually, and advisory committee members are appointed for two-year renewable terms. Programs should strive to add new members to reflect changes in the local industry and workforce.





## Meetings

1. Each advisory committee must meet frequently enough to accomplish its agenda for the year. The District recommends a minimum of two meetings per academic year, in different semesters.
2. For items requiring endorsement, five of nine advisory committee members (or a simple majority of active advisory committee members for larger committees) must be present to vote, and a simple majority of those present is necessary to make an endorsement. If fewer members are present and voting, more evidence of support may be requested or required for WTCS processes.
3. Additional events for advisors, such as orientations, industry summits, reverse job fairs, or recognition events, may be scheduled by the college on an as-needed basis. These do not substitute for the two regular meetings required.
4. Advisory committee meeting dates and times must be provided to the office of Institutional Effectiveness Division **a minimum of 30 days** in advance of the meeting. Upcoming meetings will be announced to the college community.
5. The majority of the advisory committee meeting should involve advice and discussion by the advisors related to the current trends, changes, and needs of their field as well as discussion and endorsement of program developments. Presentations by Gateway staff should provide context for advisors' discussion.
6. Each meeting will include discussion of the college report, which is provided to advisors before the meeting. The purpose of the college report is to inform advisors about developments in the program, the school, and the college that are relevant to advisors' roles or requested by advisors. The report should minimally include
  - a. Follow-up to past advice and items from prior meetings
  - b. Updates on program enrollment, student learning assessment results/plans, and progress on program vitality (each semester)
  - c. Opportunities for involvement (internships, guest speaking, donations, etc.)
  - d. Other information requested by advisors

Programs are encouraged to provide information to advisors between meetings to keep them engaged with the program.

7. The following agenda format will be followed at all meetings. The agenda lists all items of business and is prepared by the committee chairperson and the dean prior to the advisory committee meeting. The agenda should include enough information to convey what is expected at the meeting. Advisors will receive the agenda, the previous meeting's minutes, and the college report **at least two weeks prior** to the meeting.

### Name of Committee

### AGENDA

1. Call to Order and Roll Call/Introductions
2. Approval of Minutes (copy attached)
3. Advice from Advisors - topics may include:
  - a. Workforce Needs/Trends
  - b. Technology/Equipment Trends
  - c. Certification, Licensure, and/or Regulatory Changes
  - d. Overall Industry Outlook/Direction
  - e. Other advice requested by the program
4. College Report
  - a. Questions/discussion from advisors
  - b. Student Report (minimum once per year by current program student(s))
  - c. Tour of Learning Environment (once per year, rotating locations if appropriate)

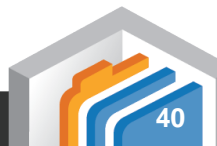




5. Items for Endorsement:
  - a. Curriculum Modifications (if any)
  - b. Program Vitality Plan (year one of 3-year cycle)
  - c. Learning Environment (once per year, coinciding with lab tour)
  - d. Grant applications and outcomes (if required)
6. Requests/action steps for future meetings
7. Scheduling of Next Meeting
8. Adjournment
8. The dean or the advisory committee chairperson shall conduct the meeting according to the agreed-upon agenda. The dean and the program effectiveness coordinator act as resources for the committee's discussion, particularly regarding reports on program activities.
9. Advisory committee meetings are open to all members of the Gateway community. Non-committee members may observe but do not participate in the meeting discussion. Observers may be invited to speak on matters relevant to the published agenda at the discretion of the committee.
10. The dean will designate a Gateway employee who shall record the minutes of the meeting, and the dean will review and submit them to the office of the Institutional Effectiveness Division **no later than two weeks after the meeting date** so they may be forwarded to the WTCS Education Director. Minutes that do not meet the college's minimum requirements for format and content will be returned to the program for revision. The minutes should be written to protect confidential or proprietary information at the request of advisors and may summarize rather than detail employer input. Deans may wish to send minutes to advisors after the meeting as well.

### Orientation

1. Each advisory committee member will be oriented to this policy and the procedures of advisory committees by the dean prior to his or her first advisory committee meeting.
2. Each advisory committee member will receive an advisory committee handbook.





## A-140 ONLINE LEARNING

### POLICY

Gateway Technical College recognizes the value of well designed and effectively delivered online instruction and student support to increase learning opportunities for our student body. Online delivery complements the college's other traditional and alternative delivery methods to meet the needs of all learners.

### PROCEDURE

#### Definitions

1. Online delivery (also referred to as 'Internet Delivery') refers to course sections in which one hundred percent (100%) of learning and assessment activities are conducted through the college's approved learning management and delivery systems via the Internet and no learning or assessment activities require physical presence at a campus location or availability for synchronous learning activities. Optional synchronous activities should include alternative means of reviewing content for those unable to attend.
2. In accordance with division accessibility plans, materials used in online courses must meet Section 504 of the Rehabilitation act and ADA requirements so that they are accessible, to the fullest extent possible, to students with visual, auditory, and other disabilities, including those who use adaptive technology. All videos must be captioned and documents (Word, PDF, etc.), slides and other presentation materials and programs must be developed with accessibility in mind.
3. A program will be designated as 'online' when one hundred percent (100%) of required courses are available via online delivery as defined above and all other activities required to complete the program can be completed without physical presence at a campus location.
4. Other forms of traditional and alternative delivery that use the college's approved learning management system or other distance technologies but do not meet the one hundred percent (100%) standard are not considered online delivery.
5. Any student who completes seventy-five percent (75%) of his or her program requirements, excluding electives, through online delivery will be considered an "online student" for the purposes of program evaluation and assessment of student learning.

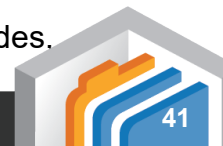
#### Decisions

The decision to offer a course online will be made by the division dean, following a recommendation from the program curriculum committee. The decision to offer an entire program online will be made by the executive vice president/provost following a recommendation from the division dean and program curriculum committee. Decisions will be based on the following criteria:

1. Offering must be consistent with District strategic goals for instruction.
2. Offering must be part of a documented overall divisional and/or departmental plan for instructional delivery.
3. Offering must have a defined target audience of learners.
4. Resources identified as necessary to online offering must be within the available human and financial resources of the District.
5. Program faculty must have input in the planning and decision process.

#### Curriculum Development

1. Course sections delivered online must use the same competencies, performance standards, and learning objectives as traditional sections. Conditions for demonstrating performance will be modified to include online options by the curriculum office.
2. Division deans will encourage all interested program faculty to collaborate in a team environment on the development of learning activities, assessment activities, scoring guides, and instructional materials.





3. Division deans will confirm that curriculum products meet all criteria on the college's Distance Learning Quality Standards checklist.

**Faculty Training**

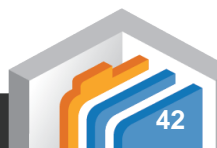
Faculty training for instructors of online sections must be completed before teaching any online course, except as provided in the bargaining unit agreement. Training will include both pedagogical and technical requirements for successful online delivery.

**Student Success and Feedback**

1. Students registering for online sections will be required to complete an orientation which will include learning style assessment, computer literacy assessment, basic functions of the learning management system, and strategies for successful online learning or to demonstrate mastery of this material through an alternate form of evaluation.
2. All students in online sections will be given the opportunity to complete a course evaluation, which will be administered following the same procedures as traditional course evaluation.

**Evaluation and Assessment**

1. Program performance measures within the college's program evaluation model will be reported separately for online and onsite students and courses whenever possible. Programs will address discrepancies between program improvement activities.
2. Programs will be required to sample online sections as well as traditional sections when completing their Student Learning plans. Programs that are onsite and fully online will be required to report separate learning results for online students and onsite students along with their total program learning results. Programs will be required to address discrepancies between learning results for online and onsite students in their annual program improvement activities.





## A-150 INSTRUCTOR QUALIFICATIONS

### POLICY

Gateway Technical College instructors will meet all requirements for occupational experience and academic credentials to deliver high-quality education to our community. Gateway's instructor qualifications policy applies to all instruction wherever and however it is delivered.

### PROCEDURE

1. The college maintains a master list of faculty qualifications specific to each program. These qualifications are determined by deans and program faculty. These qualifications are included in all faculty job postings. Deans review and update the list before a faculty position is posted. The Executive VP - Academic Affairs conducts an annual review of faculty qualifications with the assistance of the deans and the college's Accreditation Liaison Officer.
2. Faculty employed by Gateway teaching **credit courses**, Adult High School (AHS), Adult Basic Education (ABE), English Language Learning (ELL), and developmental/remedial courses will meet the required qualifications of the Wisconsin Technical College System's (WTCS) Faculty Quality Assurance System (FQAS).
  - a. Initial Qualification
    - 1) At the time of hire, faculty will demonstrate completion of the required academic credentials, licenses or certifications specified in the job posting or equivalent tested experience. All job postings will at minimum meet the requirements of FQAS contained in the college's FQAS plan, which include the faculty qualification requirements of the Higher Learning Commission. Appropriate credentials are determined locally by deans with the input of program faculty and the approval of the Executive VP - Academic Affairs. Faculty employed by Gateway in occupational programs must demonstrate completion of the occupational experience required by FQAS, that is, 4,000 hours of relevant paid non-teaching experience in the occupation being taught, with 2,000 hours occurring within 5 years prior to date of hire. Two years of post-secondary teaching within 5 years prior to date of hire may substitute for the 2,000 hours of work experience during that time. Appropriate occupation experiences are determined locally by deans with the input of program faculty and the approval of the Executive VP - Academic Affairs.
    - 2) Initial qualification is documented by the Human Resources division during the hiring process.
  - b. Full Qualification - Faculty will achieve full qualification by demonstrating attainment of the four competencies required by FQAS within three (3) years from hire date for regular faculty or five (5) years from date of hire for adjunct faculty. Competence can be demonstrated by completing designated training programs and courses offered by Gateway or other technical colleges or through evaluation of prior learning. Full qualification is determined and monitored by the Employee Learning department and documented in the college's training management system.
  - c. FQAS Professional Development - Fully qualified faculty will maintain an FQAS Professional Development Plan in conjunction with their faculty performance evaluation. The plan will contain goals and annual activities to maintain the instructor's knowledge and skills in his or her subject area of instruction and in the four FQAS competency areas. FQAS Professional Development plans are approved and monitored by the deans supervising the faculty.



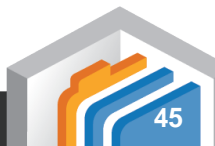
3. Faculty employed by the Wisconsin Department of Corrections (DOC) teaching Gateway credit courses in correctional facilities have the same initial qualification and full qualification requirements as above as agreed upon by WTCS and DOC. Deans and DOC management collaborate on posting qualifications. Currency requirements are defined by each correctional facility.
4. High school instructors teaching **Gateway credit courses** in the high school (transcribed credit instructors) are not required by WTCS to meet the qualifications of the Faculty Quality Assurance System (FQAS). Nevertheless, transcribed credit instructors meet a standard of credentials and/or tested experience equivalent to other Gateway instructors. The following are required:
  - a. At the time of assignment, transcribed credit instructors will demonstrate completion of the required academic credentials, licenses or certifications, and/or equivalent tested experience specified by the college, which meet the minimum faculty qualification requirements of the Higher Learning Commission. Appropriate credentials are determined locally by deans with the input of program faculty and the approval of the Executive VP - Academic Affairs. Given the basic, introductory nature of transcribed credit courses and the traditional preparation of high school instructors, Gateway considers a discipline-specific education bachelor's degree AND appropriate tested experience (see section 6) to be the equivalent of a discipline-specific bachelor's degree for transcribed credit instructors.
  - b. Initial qualification is documented by the Human Resources division during the assignment process.
  - c. Transcribed credit instructors are required to have a Department of Public Instruction license appropriate to their grade level and subject area. The requirements to earn and maintain the DPI license are considered equivalent to the competencies and currency requirements met by Gateway faculty (see 2b and 2c above).
5. Faculty teaching **adult continuing education (ACE) courses** will demonstrate completion of the required academic credentials, licenses or certifications, and any required occupational experience specified in the job posting.
6. Where allowed by accreditors and the WTCS, the college may substitute relevant **tested experience** for earned credits or credentials or other requirements during the hiring process. Tested experience refers to skill sets, certifications, additional credentials, and/or hours of experience outside the classroom in real-world situations relevant to the discipline. Faculty meeting discipline-specific special accreditation standards (e.g., ACBSP) will be considered qualified through tested experience (see section 8). Tested experience for transcribed credit instructors may also include college-level professional development experiences, activity in subject-related professional organizations, leadership in subject-specific student organization management, or evidence of student achievement on college-level tests (in combination with other tested experience but not as the only tested experience). Allowable tested experience is determined by the program dean and approved by the Executive VP - Academic Affairs. The specific allowable tested experience is added to the college's master list of faculty qualifications.
7. Faculty teaching courses using the following **alternative delivery methods** are required to have specialized training related to the pedagogy and technology pertinent to that mode of delivery and/or successful prior experience instructing in that delivery method: Accelerated, Blended, Blocked, On-demand, Online, and Videoconference. Endorsements for these modes of delivery will be monitored and maintained by the Employee Learning department and documented in the college's training management system.







8. Faculty teaching in programs with **specialized accreditation or licensure** are required to meet the minimum credential and experience requirements prescribed by the accreditor or licensing agency.
9. For hiring purposes, the college considers an associate's degree and four years (8,000 hours) of occupational experience or no degree and seven years (14,000 hours) of occupational experience to be equivalent to a bachelor's degree. Any use of equivalencies or alternative qualifications must be approved in writing by the Dean and the Executive VP - Academic Affairs.
10. Faculty who fail to maintain appropriate qualifications will not be assigned to teach for the college.





## Gateway Technical College

### A-160 FREEDOM OF EXPRESSION IN TEACHING AND LEARNING

#### **POLICY**

In the tradition and pursuit of truth through knowledge, Gateway Technical College encourages its faculty to present subjects in a way they feel best promotes effective student learning and engagement.

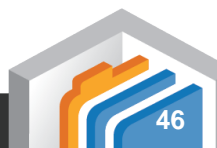
#### **PROCESS**

In the Teaching and Learning process, faculty are expected to:

1. Adhere to the college-approved curriculum
2. Meet all the required course learning outcomes and competencies
3. Align discussion topics with the course content and learning objectives
4. Uphold high ethical standards and the Employee Code of Conduct
5. Following existing:
  - a. College policies
  - b. College procedures
  - c. Departmental Guidelines
  - d. Employee and Faculty Handbooks
  - e. Student Handbook and Code of Conduct
6. Create a positive educational environment free from harassment, discrimination, and retaliation
7. Protect rights to free expression and thought

The academic freedom policy is intended to provide an environment where diverse ideas, philosophies, and thoughts can be discussed free from retribution, censorship, or restriction within the bounds noted above.

Adopted: May 28, 2018





## B-110 RESEARCH POLICY

### POLICY

Institutional research plays a crucial role in evaluating college activities, enhancing organizational effectiveness, and fostering continuous improvement. By supporting the college in making data-informed decisions while also supporting the scholarly endeavors of internal and external researchers, our institution contributes to the advancement of knowledge and innovation in our field. We strive to contribute meaningfully to the growth and success of our academic community while ensuring rigorous and ethical research practices.

The Office of Institutional Research (IR) oversees all research activities conducted under the auspices of Gateway Technical College. Research activities must be approved by the Office of IR prior to distribution. This includes research activities of any scope or size intended for distribution to any members or prospective members of the Gateway community (e.g. applicants, students, faculty, staff, board members, alumni, employers, and other stakeholders). Human subjects research must also be approved by Gateway's Institutional Review Board (IRB). This review and approval in advance ensures that all research follows ethical guidelines for the protection and welfare of research participants. This also allows Gateway to ensure sound data collection, consistent quality, and to prevent duplication of research efforts.

### PROCEDURES

#### 1. Policy Scope

- a. This policy governs any survey or other research project conducted by Gateway employees, students, and/or any external organization/individual(s) requesting to administer research activities to students or other Gateway stakeholders, or requesting secondary data for research purposes, except where excluded under 1c below.
- b. Research activities encompass a variety of methodologies, including but not limited to surveys, interviews, case studies, and focus groups. College analysis of existing student data collected through normal procedures such as student recruitment or enrollment data does not require advance approval from the Office of Institutional Research.
- c. Excluded from this policy are:
  - i. Event registration and evaluation forms;
  - ii. Point-of-service feedback surveys;
  - iii. Course evaluation forms;
  - iv. Feedback instruments used in the evaluation of employee performance;
  - v. Forms used to collect information for administrative purposes (e.g., meeting scheduling);
  - vi. Minimal risk surveys conducted by individual faculty with the students enrolled in their courses related directly to coursework;
  - vii. Minimal risk in-class student research surveys for a course in which



- only students in the course are surveyed (unless intended to publish and/or present at conferences); and
- viii. Learning outcomes assessments designed exclusively for the purpose of improving course design and/or academic programs at Gateway

## 2. Definitions

- a. The Gateway community includes any college applicants, students, faculty, employees, board members, alumni, employers, or other stakeholders.
- b. Principal investigator is the individual responsible for the preparation, conduct, and administration of the research activity.
- c. Research activities include any collection and/or analysis of data either to inform college decision-making or to contribute to generalizable knowledge. This is the broadest scope of this term, including all surveys, focus groups, qualitative interviews, secondary data analysis, observations, case studies, and other aspects of research. For the purposes of this policy, this is broken out into two types of research.
  - i. Administrative/Institutional Research includes any data collection and analysis activities undertaken by and/or for Gateway to inform services, programs, and planning. These activities are for internal purposes only and are not generally presented at conferences or published in academic journals.
  - ii. Human subjects research includes any systematic research that is designed to contribute to generalizable knowledge and for which living human subjects are the participants. Any research conducted as part of a master's thesis, doctoral dissertation, or for publication in academic journals automatically falls within this category. Most research presented at conferences will also fall into this category.
- d. Secondary data is existing administrative or survey data that has already been collected and is now being used for different purposes.
- e. Minimal risk projects are those in which the probability and magnitude of harm or discomfort anticipated in the research are not greater in and of themselves than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests.

## 3. Rules Applying to All Research

- a. Any research activity conducted with the Gateway community must have approval from appropriate college offices (Institutional Research as well as the dean(s)/vice president(s) of any affected departments) before beginning participant recruitment and data collection.
- b. Research activities must be of benefit to students and/or the college and cannot place undue burden on students, staff, or the college.
- c. All research activities at Gateway, whether administrative or human subjects research, must follow ethical guidelines to:
  - i. Reduce risk and maximize benefits to participants; and
  - ii. Maintain and protect participant privacy and confidentiality.
- d. Principal investigators and research team members are responsible for following FERPA, HIPAA, and any other college, state, or federal regulations



regarding data privacy, where applicable.

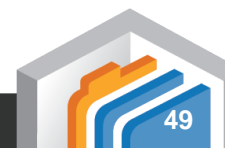
- e. Surveys or other research materials will be designed with accessibility in mind, including but not limited to, survey design and the software or other method used to conduct the survey.

#### **4. Classroom Research**

- a. As a part of Gateway coursework, students may be assigned to conduct interviews, distribute questionnaires, or engage in participant observation. If the purpose of these activities is solely pedagogical and is not designed to contribute to a body of knowledge, the activities generally do not meet the definition of research and therefore do not require approval from Gateway's IR department or the Institutional Review Board (IRB). However, if the results of any classroom research projects are to be presented at conferences, published, used for thesis/dissertation projects, or disseminated outside of the college in any other way, then IRB approval is required prior to the start of the project.
- b. The course instructor is responsible for assessing whether the classroom research activity is the kind of activity that may require IRB approval (see 6a and 6b below). Any instructors with doubts concerning the classification of the activity are encouraged to consult with the Institutional Research department to obtain guidance on any of the IRB requirements.
- c. In all cases, classroom research must be supervised by a faculty member, may not include research subjects under the age of 18, and should not involve sensitive, personal or incriminating topics. Faculty overseeing student research projects are expected to understand the philosophy, ethics, and practice of protecting human subjects in research; to adhere to these principles during the conduct and supervision of classroom research projects; and to teach these practices and principles to students.

#### **5. Rules Applying to Administrative/Institutional Research**

- a. College units and/or researchers cannot begin data collection without approval from the Office of Institutional Research (and the IRB, when applicable).
- b. The use of the name "Gateway Technical College" on a survey instrument or cover letter implies that the survey is being conducted by the college. Therefore, college-wide and external-facing surveys must be administered through Gateway approved software identified by Institutional Research, unless the researcher(s) and the office of Institutional Research agree that special circumstances warrant use of another system. This helps participants recognize the authenticity and legitimacy of survey invitations and maintains consistent and professional survey administration.
- c. Personally identifiable information should be collected only as required in relation to the expressly stated purpose of the research. All survey responses must remain anonymous and/or confidential to protect the identity and privacy of participants. Surveys must comply with privacy regulations such as FERPA or HIPAA, where applicable.
- d. College resources are not allowed to be used as incentives to encourage participation in surveys. Survey incentives may be provided through other





means. Survey incentives awarded to Gateway employees must be reported to the Payroll department as they may be considered taxable income.

## **6. Rules Applying to Human Subjects Research**

- a. According to the Code of Federal Regulations (45 CFR 46), human subjects research is any research that meets BOTH of the below criteria:
  - i. Systematic investigation (including research development, testing, and evaluation) designed to contribute to generalizable knowledge;
  - ii. Activities involving living human subjects about whom an investigator (whether professional or student) conducting research obtains data through intervention or interaction with the individual.
- b. All human subjects research conducted at Gateway or with members of the Gateway community must be approved by Gateway's Institutional Review Board (IRB) in advance. Even if the research project has been approved by another institution's IRB, the project must still be approved by Gateway's IRB.
- c. The Principal Investigator (PI) is responsible for submitting an IRB application to seek approval of these projects before participant recruitment or data collection may begin. The IRB application at a minimum must include the following materials:
  - i. A description of the study, including its purpose and description of the methods used to recruit study subjects;
  - ii. The information that will be sent/read to participants including an explanation of the purpose of the research; informed consent documents; how the welfare and privacy of the research subjects will be protected; marketing and recruitment materials; and who the participants need to contact regarding concerns about the research;
  - iii. The projected beginning and end dates of the research;
  - iv. Documentation from the supervising institution (if not Gateway) showing Institutional Review Board (IRB) approval to conduct the research; and
  - v. A disclosure of any conflicts of interest related to the research.
- d. Once the project has been approved, the researchers must conduct their study in accordance with the IRB-approved protocols. The PI must obtain IRB approval before making any changes to the protocol, unless those changes are required to eliminate or reduce an immediate risk or harm to the research participants. In the latter case, the PI must still promptly notify the IRB in writing of those changes.
- e. The PI is responsible for immediately notifying Gateway's IRB in the event of any unforeseen complications or adverse circumstances related to the human subject's participation in the research.
- f. Prior to data collection, all research participants must be informed about the nature of the research, its risks, and benefits. Then, they must provide their informed consent to participate in the research project. The federal guidelines related to the informed consent can be found in [45 CFR 46.116](#).
- g. Researchers Not Affiliated with Gateway**
  - i. Approval of external research requests does not imply endorsement



- of the study by the college.
- ii. The activities of the college have priority over all external research requests. Any proposed research that may directly or indirectly interfere with the college's research projects or the college's ability to carry out operations will be denied.
  - iii. As a general rule, student participation in research studies will be voluntary and class time will not be used for any external research activities unless participation in the research is both educationally valuable and related to the course content.
  - iv. The PI must agree to the following conditions of approval:
    1. The researcher assumes all responsibility for the welfare and privacy of research subjects.
    2. Gateway will not provide a researcher with any identifiable student record data except directory information as allowed by Federal Family Educational Rights and Privacy Act (FERPA) and Gateway policy. Any secondary data about students will be de-identified before sharing this data with an external researcher.
    3. If use of class time is approved, the researcher is responsible for securing the approval of the faculty members teaching those classes prior to conducting the research.
    4. Gateway, its students, faculty, and staff involved in external research will not be identified when findings are presented or published.
    5. The researcher will provide a written summary of the results to the college.

## **7. Research Involving Animals**

- a. The U.S. Department of Agriculture (USDA) Animal Welfare Act and the National Institutes of Health (NIH) Public Health Service Policy on the Humane Care and Use of Animals require that institutions conducting research with animals establish an Institutional Animal Care and Use Committee (IACUC). Gateway's IACUC is responsible for oversight of the animal care and use program and its components as described in the Public Health Service (PHS) Policy on Humane Care and Use of Laboratory Animals and the Guide for the Care and Use of Laboratory Animals. The IACUC oversees the specific use of animals by formally reviewing animal use protocols. Researchers affiliated with Gateway who are planning to utilize animals in research should contact the Chair of the Veterinary Sciences program for information on obtaining IACUC approval prior to beginning activities.

## **8. Role of the Institutional Research Department**

- a. The Office of Institutional Research (IR) will serve as the clearinghouse for all surveys and other research activities at the college. In doing so, IR will:
  - i. Provide consultation on the development and administration of surveys and analysis of results (strengthen survey design, assist with identification of the target population, ensure reliability and validity,





- ensure that confidentiality/anonymity are appropriately handled, etc.)
- ii. Adhere to professional ethics and standards for research protocols and procedures
- iii. Ensure that research projects requiring IRB approval have been reviewed and approved prior to dissemination
- iv. Prioritize and schedule research projects based on the needs of the college, such that data collection is timely and conducted in a manner that minimizes duplication of effort and disruption of the educational environment
- v. Minimize respondents' burden by coordinating the scheduling of surveys and other research projects, identifying when data already exists, avoiding duplication of effort, and consolidating projects when possible.

### **9. Role of the Institutional Review Board**

- a. Gateway's Institutional Review Board (IRB) oversees all Human Subjects Research to ensure compliance with federal regulations as outlined in 45 CFR 46. This includes reviewing proposed research projects that involve the use of human subjects to verify that:
  - i. The individuals involved in the project are treated ethically;
  - ii. All risks of participating in the research are minimized, and any risks are reasonable in relation to anticipated benefits;
  - iii. All subjects are provided with substantial information about the study presented in language they can understand and consent to being a subject in the study;
  - iv. Researchers use adequate provisions to protect participant privacy and confidentiality; and
  - v. The researcher complies with all applicable research laws and regulations.
- b. Gateway holds a Federal Wide Assurance (FWA) through the U.S. Department of Health & Human Services Office for Human Research Protections (OHRP). Gateway will maintain this FWA in good standing and execute its duties to protect human subjects involved in research among the Gateway community.
- c. The IRB is authorized to review, approve, require modifications in, or disapprove research activities conducted by or through Gateway using human subjects.
- d. Gateway's IRB may, at its own discretion, require ongoing review of approved research projects to ensure compliance with federal regulations and with the approved research protocols. In such situations, the IRB will notify the PI of such ongoing review requirements.





## C-110 GRANT MANAGEMENT

### POLICY

Gateway Technical College actively seeks out grants in order to maximize the delivery of its programs and services and to lead in the economic development of the region. Grants must be managed in accordance with state, Federal, and other funding agency requirements.

### PROCEDURE

1. Grant development and management is coordinated by the Grants Office. No individual within the college may apply for a grant on behalf of the college without following this procedure.
2. Requests to develop grants for funds made available through the Wisconsin Technical College System and from all other sources are to be submitted to the Grants Office with the approval of a dean, vice president, or higher administrator.
3. The college may choose not to pursue a grant opportunity on the basis of the mission-appropriateness of the grant activities as well as the amount of financial, physical, and human resources the grant would require. In addition, grant applications that do not meet quality standards will not be submitted.
4. Grant applications must be approved by the Grants Office. Grant budgets must be approved by the Business Office before submission.
5. Successfully awarded grants will be assigned to an administrator, who will be responsible for managing project activities and submitting all necessary reports to the Grants Office. Grant activity completion and reporting requirements will be monitored by the Grants Office. Grant revenues, expenditures, and financial reporting will be monitored by the Business Office.
6. Additional policies and procedures for grant development are contained in the Grants Policies and Procedures Manual.



## **C-110a FINANCIAL MANAGEMENT**

### **POLICY PURPOSE/SCOPE**

To ensure that the financial management of federal grant awards or programs awarded to the college is in accordance with Generally Accepted Accounting Principles (GAAP) applicable to governmental entities and with the Wisconsin Technical College System Financial & Administrative Manual (WTCS FAM) by employing standard financial management practices for all grants. This includes effective control over and accountability for all funds, property and other assets along with adequately safeguarding all assets and assuring that they are used solely for authorized purposes. This policy governs the financial management of all grant awards.

### **PROCEDURES**

1. The college must expend and account for Federal awards in accordance with state laws and procedures for expending and accounting for state funds.
2. The financial management system, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, must be sufficient to permit the preparation of reports required by general and program-specific terms and conditions and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and terms and conditions of the Federal award. To accomplish this, the College's financial management system will include the following:
  - a. Identification in its accounts of all federal awards received and expended
  - b. Identification of federal programs under which awards were received, including
    - 1) Assistance Listing program title and number
    - 2) Federal award identification number and year
    - 3) Pass-through entity, if applicable
  - c. Accurate, current, and complete disclosure of the financial results of each federal award or program.
  - d. Records that adequately identify the source and application of funds for federally-funded activities.
  - e. Effective control over and accountability for all funds, property, and other assets.
  - f. Comparison of actual expenditures with budget amounts for each federal award.



## C-110b ALLOWABLE COST POLICY

### **POLICY**

The purpose of this policy is to ensure compliance with the Uniform Grant Guidance cost principles. This policy governs all costs charged to grants.

### **PROCEDURES**

#### **Grant Charges**

1. All grant charges must be allocable to the grant, necessary and reasonable, and adequately documented.
2. Charges must conform to applicable limitations/exclusions, Gateway policies, Generally Accepted Accounting Principles (GAAP), and requirements for prior approval from the grantor.
3. Costs cannot be charged to anywhere else.

#### **Necessary and Reasonable**

1. Costs charged to grants must be necessary in order to carry out the program.
2. A cost is reasonable if in its nature and amount, it does not exceed that which would be incurred by a "prudent person under the circumstances." The following factors are reviewed to determine reasonableness:
  - a. Ordinary and necessary expense
  - b. Use of sound business practices
  - c. Arm's-length bargaining
  - d. Adherence to federal, state and local laws and regulations
  - e. Facts and circumstances surrounding the cost
  - f. Justification for exceptions

#### **Conform to Limitations/Exclusions**

Costs charged to grants must conform to any limitations or exclusions set forth in the grant agreement or in Federal Cost Principles.

#### **Consistent with Organizational Policies**

All Gateway Technical College policies related to expenses and procurement apply to grant costs.

#### **Consistently Treated in Accordance with GAAP**

Costs are consistently treated through the application of Generally Accepted Accounting Principles.

#### **Not Charged Elsewhere**

Costs charged to a grant cannot be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period.

#### **Adequate Documentation**

Adequate documentation of grant costs must be provided to the Business Office in accordance with Gateway's policies and procedures.

#### **Prior Written Approval**

Grant costs must be reviewed with grant agreements to determine if prior approval or advance understanding from the granting agency is required.

#### **Allocable**

Costs must be incurred specifically for the grant. Costs are charged to grant(s) in proportion to the benefit to the grant.



## C-110c CONFLICT OF INTEREST IN FEDERALLY FUNDED PROJECTS

### POLICY

The purpose of this policy is to protect the integrity of federally-funded grant projects by managing, reducing or eliminating potential conflict of interest. Gateway's Employee Handbook outlines Conflict of Interest policies which apply to all employees with regard to personal benefit, outside employment, acceptance of gifts, and use of position. Additionally, employees who are designated as grant managers, project directors, principal investigators, or co-principal investigators, and other key personnel on federal grants are disclose significant financial interests annually or as new potential conflicts arise. This includes grants funded directly by federal agencies as well as those that "pass through" other entities, or are sub-granted to Gateway.

### PROCEDURE

1. Submission of the Financial Disclosure Form for Federally-funded Grants
  - a. To ensure satisfactory compliance with the conflict of interest mandates under Federally-funded grants, Gateway employees who serve as key personnel on federal grant applications must complete the Financial Disclosure to Avoid Conflict of Interest in Federally-funded Projects form.
  - b. Key personnel are those individuals responsible for the design, conduct, or reporting of research or education activities funded or proposed for funding by a federal grant.
  - c. The form must be completed and submitted to the Grants Office prior to the submission of a proposal and updated if needed prior to the expenditure of any grant funds. Once the grant period begins, the form must be updated on an annual basis or when those key personnel know of new reportable significant financial interests. Significant financial interest includes anything of monetary value received from non-Gateway sources which could potentially appear to affect the project, including but not limited to:
    - 1) Salary or other payments for services (e.g. consulting fees or honoraria) anticipated over the next 12 months which when aggregated for the investigator and the investigator's spouse and dependent children exceed \$10,000
    - 2) Equity interest (e.g. stocks, stock options or other ownership interests) that when aggregated for the investigator and the investigator's spouse and dependent children exceed \$10,000 in value or represent more than a 5% ownership interest in any single entity
    - 3) Intellectual property rights (e.g. patents, copyrights and royalties from such rights)
    - 4) Participation (as an officer, director, partner, trustee, employee, advisory board member, or agent) in any entity funding or providing goods and services to a project
    - 5) Other significant financial interests
2. Disposition of the Forms
  - a. Once the forms are completed and submitted to the Grants Office, the Associate Vice President-College Excellence will review them for potential conflict of interest.
  - b. If a potential conflict of interest is present, the Associate Vice President-College Excellence will confer with the Executive Vice President of Academic Affairs and the CFO & VP of Administration for further review and to recommend action.
  - c. Those Gateway Technical College personnel will work with the staff member as needed to manage, reduce or eliminate potential conflicts and will report conflicts to funding agencies as required.
  - d. The Grants Office will retain records of all financial disclosures and all actions taken by Gateway Technical College with respect to each conflict of interest for at least three years from the close of the grant.
3. Any Gateway employee who knows of, or could reasonably have been expected to know of, and deliberately fails to disclose a potential conflict of interest shall be subject to disciplinary action ranging from reprimand to discharge.



## C-110d MANDATORY DISCLOSURES

### **POLICY PURPOSE/SCOPE**

The purpose of this policy is to ensure timely disclosure of any violations of criminal law affecting Federal grant awards. This policy governs all Federal grant awards.

### **PROCEDURE**

1. Gateway Technical College (Gateway) must disclose, in a timely manner, in writing to the awarding agency or pass-through entity, all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting a Federal grant award.
2. Upon discovery, any employee who becomes aware of an instance of such a violation should contact the CFO & Vice President of Administration immediately. The Human Resources department will conduct an investigation, and if appropriate, will work with the Grants Office to provide written notification to the appropriate agency.



## C-110e Participant Support Costs

### POLICY

The purpose of this policy is to comply with federal regulations, ensuring that funds provided for participant costs are separately accounted for, and expended for appropriate and intended objectives of the sponsored project or grant activity. Participant support costs are allowed by a number of Federal agencies and other sponsors. Participant support costs are defined by the Uniform Guidance:

*Participant support costs* means direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences, or training projects.

Participant support costs are costs to support individuals who are receiving a training opportunity as part of a workshop, conference, seminar, symposium or other short-term instructional or information sharing activity funded by a grant. Costs may include stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants (not employees). A participant does not perform work or service for the project or program. The participant is not required to deliver anything or provide any service to the College in return for these support costs. Participant support costs are budgeted in a separate category in the application budget and must be accounted for separately.

### PROCEDURE

1. Participant support costs must be explicitly identified in the budget and budget justification. For instance, the NSF budget form has a section specifically for participant support costs. Identifying participant support costs ensures prior sponsor approval is requested and, if awarded, that the Business Office sets up a separate project with appropriate Indirect Costs.
2. Participant support costs are excluded from the Modified Total Direct Cost (MTDC) base when calculating Indirect costs. Gateway's Business Office sets up a separate project under the award to isolate participant support costs and to ensure that Indirect Costs are not applied against these costs.
3. Funds provided for participant support costs that are not spent cannot be rebudgeted for use in other categories unless prior written approval has been obtained from the sponsor.
4. The following guidelines are generally used to determine the allowability of participant support costs. Costs outside of these parameters are deemed allowable only with the written consent of the sponsoring agency. In addition, individual agencies may have specific policies restricting the use and allowability of participant support costs in which case those guidelines are adhered to.



- **Allowable Participant Support Costs**

Participant support costs are allowable with prior sponsor approval, per the Uniform Guidance.

- **Stipend:** A stipend is a set amount of money to be paid by Gateway Technical College directly to the participant.
- **Travel:** Travel includes the costs of transportation and associated travel-related expenses and must follow sponsor guidelines as well as Gateway Technical College policies and guidelines. The sole purpose of the trip must be to participate in the project activity.
- **Subsistence Allowance:** The cost of a participant's housing and per diem expenses necessary for the individual to participate in the project are generally allowed, provided these costs are reasonable and limited to the days of attendance. Participants who live in the local area are not entitled to subsistence payments, although they may participate in meals and breaks provided at the meeting or conference.
- **Other:** Certain other costs in support of the participant's involvement may be allowable, including training materials or laboratory supplies.
- **Fees:** The fees paid by or on behalf of a participant in connection with meetings, conferences, symposia, or training projects are generally allowable costs. Additionally, these fees may include laboratory fees and registration fees.

- **Unallowable Participant Support Costs**

Participant support costs do not include the following types of payments:

- Travel for principal investigator, grant manager or project staff
- Travel for a consultant providing services to the college, project, or program
- Honoraria paid to a guest speaker or lecturer
- Conference support costs such as facility rental or media equipment rental
- Agreement with a provider for multiple training events (i.e., an ongoing contract with specific terms and conditions)
- Travel to bring collaborators together to meet and discuss the project
- Incentive payments to an individual who agrees to participate as a human subject in a research project

5. Similar to other award-related expenses, back-up documentation must be retained for all participant support costs. This includes a list of program participants and evidence of attendance of participants, such as a daily log or similar documentation. This documentation must be submitted to the Business Office when payment of the participant support costs is requested.
6. It is not allowable to rebudget from the participant support costs category into other grant budget categories unless prior written approval has been obtained from the sponsor. If approval is obtained from the sponsor and funds are moved from participant support costs into other budget categories, Indirect Costs are applied to the rebudgeted funds as appropriate.
7. Adding a participant support component to the project after grant funds have



been awarded requires prior approval from the sponsor. The Grants Office and Business Office work with the grant manager to submit a prior approval request to rebudget funds for this purpose. If approval is obtained for participant support costs, the Business Office sets up a new general ledger number under the award in order to separately account for these costs and apply a 0% Indirect Cost rate as required by the Uniform Guidance.







## C-115 GRANT EFFORT REPORTING

### POLICY

Gateway Technical College requires that all salaries and wages charged to grant funded projects are certified, consistent with federal requirements as outlined in the *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards* published by the U.S. Office of Management and Budget (OMB).

### PROCEDURE

1. Employees whose time is committed in a grant project shall complete Grant Effort Reports (GERs). The reports are required regardless of whether such time is paid directly by the grant or is an unpaid contribution (i.e., cost match, or in-kind contribution).
2. GERs are required for any staff, exempt or non-exempt, who are compensated in part or in full by grant funds awarded by federal agencies or other funding sources that require such documentation. Exceptions to the GER requirement may be made in cases where alternate documentation of time and effort exists, if that documentation is acceptable to the funder.
3. GER is a process to verify that salary and wages charged to a grant are reasonable and reflect actual work performed, based on 100% of time expended by Gateway Technical College employees involved in grants, contracts, and cooperative agreements. This is done using an electronic process which is supported by internal controls (Grants Office and Business/Finance Office).
4. Budgets and payroll distributions are estimates of how effort is anticipated to be expended; GER reports are confirmation of the charges made to the grant. Therefore, Gateway Technical College uses an "after-the-fact effort" reporting system. This indicates that the distribution of salaries and wages will be supported by GERs signed by the employee and a knowledgeable supervisor (the employee's supervisor or the grant manager) after the work has been completed.
5. GER Compliance Management is done on a monthly basis. It is electronically signed and considered a legal document in which a grant manager attests to the accuracy of the effort spent on grants. Employees agree to maintain supporting documentation (examples: emails, calendar or work log). The Grant Managers ensure that submissions are completed and submitted in a timely manner.
6. The Grants Office and Business Office are responsible for the distribution, collection, and retention of all employee GER reports. Individually reported data will be made available only to authorized personnel and auditors.
7. The federal government can impose severe penalties and funding disallowance as a result of missing, inaccurate, incomplete, or untimely effort reporting. Gateway Technical College expects that employees will complete and submit effort reports in a timely manner.

Adopted: January 28, 2013 (responsible department: RP&E)

Supersedes:

Reaffirmed &/or Updated: December 20, 2023; August 28, 2019





## C-120 DISTRICT TRAVEL

### POLICY

All in-district and out-of-district travel by a Gateway Technical College (Gateway) employee must conform to the Wisconsin Technical College System (WTCS) and Gateway Technical College policies to ensure uniformity.

### PROCEDURE

#### 1. Authorization

- a. All reimbursements for official business travel by a Gateway employee must be approved by the employee's supervisor.
- b. Prior authorization by the supervisor is required for travel as follows:
  - 1) Reimbursement for travel expenses within the Gateway District (Kenosha, Racine, and Walworth counties) does not require prior authorization of the supervisor.
  - 2) All travel expenses incurred in connection with student field trips, in and out-of-district, require prior supervisor authorization.
  - 3) Certain travel expenses incurred outside the Gateway District require prior approval of the supervisor. Prior approval shall be obtained by completing the "Request" in the travel and expense software. Exception to the requirement for prior authorization for out-of-district travel is as follows:

*Prior authorization is not required for expenses incurred as a result of travel to a WTCS District unless an overnight stay is required. All travel expenses associated with an overnight stay in or out of the Gateway District require the prior approval of the supervisor.*
- c. The supervisor will determine if any requested out-of-state travel is appropriate and necessary to the mission and responsibility of Gateway Technical College.
- d. If travel is funded by Employee Learning Professional Development Funds, the Professional Development Funding Application should be completed instead of completing the request form in the travel and expense software. The initiator should however submit an approved copy of the applicable form with their electronic travel expense reimbursement form.
- e. Each employee must pay and claim reimbursement for only their **own** travel expenses. These **expenses are to be actual, reasonable, and necessary**. No portion of the claim shall have been provided free of charge, or previously reimbursed by the District, or reimbursed by a person or organization other than the District. Whenever a required receipt is lost, a receipt affidavit must be completed, signed and dated by the employee and supervisor. Then attach the missing receipt affidavit to the travel expense report. The expense report form along with supporting documentation, shall be submitted to the supervisor for approval, and will be audited by the Business Office. The president's and District Board members' expenses will be audited by the Business Office. Expenses must be submitted for reimbursement on a timely basis, within 60 days of the transaction date. Any expenses incurred in a given fiscal year (July 1 - June 30) must be received in the Business Office on or before July 10 of the following year in order to be reimbursed. Any expenses submitted after July 10 relating to the previous fiscal year will be disallowed.
- f. Gateway Technical College is exempt from paying Wisconsin Sales Tax. The employee is responsible for furnishing a copy of our tax exempt form to the hotel, etc. to avoid being charged sales tax. If Wisconsin sales tax is charged on your travel it will be deducted from your reimbursement.





## 2. Mode of Transportation

- a. In general, employees are encouraged to travel by public transportation (bus, train, or commercial airplane). However, reasonable transportation expenses incurred on necessary, authorized trips away from the employee's assigned work location are reimbursable provided an approved type of transportation is used, and all travel is made by the most direct and safest route.
- b. When a number of Gateway employees are traveling to the same destination at the same time, it is their responsibility to arrange for pooled transportation where practicable.

## 3. Air Travel

- a. Travel by commercial air travel shall be limited to coach.
- b. When a favorable price differential exists, round trip tickets or special fare tickets will be purchased. Premium fees such as bag overages, premium seating, in-flight entertainment, etc., are not reimbursable expenses.
- c. Flight insurance coverage for employees is not a reimbursable expense, except for international travel.
- d. The employee's original receipt for payment of the ticket and baggage fees must be attached to the travel expense report or P-card statement (whichever is applicable).
- e. Gateway Technical College will not reimburse employees for tickets purchased with frequent flyer miles even if those tickets are purchased for business reasons.

## 4. Travel by Train or Bus

Travel by train shall be limited to coach unless overnight, where accommodations shall be limited to roomette. Receipts must be attached to the travel expense report.

## 5. Taxis and Airline Limousines

Reasonable charges for taxis and airline limousines, including taxi tips at a maximum rate of generally twenty percent (20%) of the charge, are reimbursable when other modes of travel are not available or practical.

## 6. Automobile Transportation

### a. Use of Gateway Vehicles by Employees

- 1) Gateway representatives are required to wear seat belts when operating any vehicle for District business.
- 2) The Business Office will maintain a register of all District vehicles, District location and use, insurance and licensing.
- 3) Each employee or student utilizing a school-owned vehicle or rental vehicle on behalf of the college must hold a valid driver's license. The Administration may deny the use of a school-owned vehicle or rental vehicle to an employee or student.

### b. Use of Gateway Vehicles by Students

Gateway Technical College students shall be allowed to operate Gateway-owned vehicles for academic training purposes or Gateway-sponsored activities, e.g. field trips, only.

### c. Rental Car Policy

- 1) College staff should utilize the College's Corporate Account through a recommended car rental vendor by the college's casualty insurance carrier. This account, established for Gateway Technical College through the Wisconsin Technical College System, takes advantage of a negotiated lower rental rate and includes insurance coverage under the college's current casualty insurance policy. It is not necessary to purchase additional insurance coverage through the vehicle rental vendor.
  - a) Employees should rent the vehicle in Gateway Technical College's name and should refer to the college's Business Rental Corporate Account Code. Corporate account information and vehicle rental vendor information is available on the Gateway Intranet or by contacting the assistant to the chief financial officer/vice president of



administration.

- b) The employee renting/driving the vehicle should use his/her name as a principal operator.
- c) Insurance coverage is automatically included under the Business Rental Corporate Account. Additional insurance coverage should not be purchased from the car rental establishment.
- 2) Please note: Gateway Technical College's insurance carrier does not carry insurance coverage for 15-passenger van rentals. Therefore, rental of a 15-passenger van is not allowed-including a 15-passenger van converted with seats removed to make the van a 12-passenger van.
- d. Use of Privately-Owned Vehicles
  - 1) Privately-owned vehicles may be used when rental vehicles are not available, except by staff/students under the age of eighteen (18).
  - 2) Staff/students under eighteen (18) may not drive a motor vehicle for employment even if a child labor permit was issued and a letter was presented stating that driving will be part of the work duties. The only exemption could be an emergency where the driver suddenly took ill and the minor drove the vehicle back.
  - 3) Please note: Whenever an employee/student operates their personal vehicle on College business, it is the employee/student's personal line(s) of coverage that are primary. In the event of an accident or loss involving the employee/student's vehicle, the employee/student's coverage will be primary. There is potential for the employee/student's personal insurance deductible and limits of coverage to be placed at risk.
  - 4) Employees may transport Gateway equipment not exceeding \$25,000 in total value in their personal vehicles when delivery by/with a Gateway vehicle is not possible. Equipment should be transported directly to the location where it is needed except when hours of operation require delivery on the following day. Equipment stored in an employee's vehicle overnight should be locked in the vehicle and not placed in open view. In the event of a theft resulting in the loss of Gateway property, the college will not file a claim against the employee's automobile insurance unless the loss is due to employee negligence. In the event of an accident resulting in the loss of Gateway property, the college will not file a claim against the employee's automobile insurance. The college will not be held responsible for any damage to the interior or exterior of an employee's personal vehicle resulting from the transportation of equipment.
  - 5) Employees shall be reimbursed mileage at the rate established by the Internal Revenue Service.
  - 6) The starting point, destination, and return point must be stated daily on the travel expense form.
  - 7) Bridge and road tolls are reimbursable with an original receipt or an I-pass statement.
- e. Traffic Violations

Any traffic citations, parking tickets, and other traffic violation expenses are the employee's or student's responsibility.
- f. Mileage Reimbursement
  - 1) Normal commuting, including evenings, weekends, and holidays, is not reimbursable. Travel expense, when considered a part of an employee's duties, is allowable:
    - a) Between campuses, technology centers, and other locations
    - b) When traveling directly from your home to a destination other than your regular place of employment, subtract your usual mileage to your regular place of employment and claim the balance (if positive). In effect, the mileage you claim, in a day, for business travel should only be the mileage that exceeds your normal round trip to and from work. For example:



*Total Mileage for Day = 60 miles*  
*Less Normal Round Trip = 45 miles (miles between home & base campus)*  
*Mileage You Claim = 15 miles @current mileage rate*

- 2) Instructor Travel: The regular rules for mileage reimbursement apply when faculty exceed their normal round trip mileage in a single day. Mileage will be calculated based on the location at which the majority of their work is assigned for a given semester. For regular faculty, mileage is not reimbursed for voluntary extra assignments; mileage will be paid for substitute teaching. Adjunct faculty are not eligible for mileage reimbursement with the exception of adjuncts whose mileage exceeds 60 miles per day and is included in contracts for service.
- 3) Fully Remote Employee Travel: Fully remote employees will be assigned a base campus and will follow the mileage reimbursement rules contained in the C-120 District Travel policy.
- 4) Other Employee Travel: Mileage will be reimbursed for travel to any event the employee attends because of his/her employment at the college (including voluntary events). Mileage will not be reimbursed for designated video meetings.
- 5) Employee Learning Days: Mileage will not be reimbursed for travel to/from Employee Learning Day or required full day all faculty professional days (April and August).

## 7. **Meal & Incidental Expenses (M&IE) Per Diem**

### a. General Meal Guidelines for Travel

- 1) Receipts are not required **except** when using Grant funds. Meals purchased using Grant funds require itemized receipts to be submitted with the Travel Expense Report in the travel and expense software. Tips for meals are included in the meal allowance.
- 2) No reimbursement is allowable for the cost of alcoholic beverages.

### b. In-State/Out-of-State Per Diem Daily Meal Rates

- 1) Meal expenses will be reimbursed based on the rate established by the U. S. General Services Administration (GSA). Meal rates are based on the city and state to which you are traveling. Meals, other than business meals covered below, are not reimbursable for travel that does not include an overnight stay. Per IRS regulations, to qualify as an exempt (non-taxable) business expense reimbursement - the employee must be away overnight from his or her regular or principal place of residence.
- 2) Meal rates are found on the GSA website [www.gsa.gov](http://www.gsa.gov) in the section, *Travel Resources - Per Diem Rates*. Maximum meal rates allowed will be in accordance with the GSA rates for the city or proximate area in which the employee is staying, and will be reimbursed on a daily per diem rate basis. Tips are included in the per diem rate.
- 3) While certain assignments require an individual to perform a substantial amount of in-District travel, meals during assigned normal routine periods of travel will not be subject to reimbursement.
- 4) If a meal is provided as part of a hotel complimentary breakfast, sponsored training session, conference, or meeting, the employee must deduct the per diem for the meal(s) from their per diem for that day. If a meal is provided by a conference as part of the registration fee and an employee elects to purchase a meal independent of the conference, such meals will be considered a personal expense and will not be reimbursed.
- 5) Seventy-five percent (75%) M&IE will be reimbursed for first and last travel days. The first and last day of travel will be determined as the day the employee leaves home and the day the employee arrives home. One hundred percent (100%) will be reimbursed for the in-between days.





The following table is an example of the 75% calculation of per diem rates. Please visit the GSA website ([www.gsa.gov](http://www.gsa.gov)) for the most up-to-date information.

GSA Daily Rate	\$51	\$54	\$59	\$64	\$69	\$74
First & Last Day of Travel	\$38.25	\$40.50	\$44.25	\$48.00	\$51.75	\$55.50

- 6) In the event an employee travels to multiple cities and states during the same day of travel, the meal allowance for that day will be based upon the city where the employee spends the night.
- 7) In situations where business travel is combined with personal travel, reimbursement for meals will be limited to expenses incurred on days of official business.
- c. Business Meals/Meetings (See Policy C-130c Purchase of Food)
  - 1) Reimbursable business meals are defined as meals during which specific college business takes place where a 3<sup>rd</sup> party (non-Gateway employee) is involved.
  - 2) Reimbursable meal expenses should reflect good judgment to minimize college costs and related taxpayer support excluding alcohol when it is deemed to be necessary, reasonable, and business appropriate.
  - 3) Reimbursement of meals will occur when they are an integral part of the business meeting or activity, not as a matter of personal convenience. Staff other than the Executive Leadership Council (ELC) members must have preapproval by their supervisor and/or budget officer prior to the occurrence.
  - 4) The standard maximum allowable rate for business meals/meetings is the Wisconsin GSA individual meal rate. Temporarily, due to inflation and rising costs, there is some flexibility granted in the maximum allowable rate for catered business meals/meetings with Business Office approval required if proposed cost in excess of \$20 per person.
  - 5) Itemized receipts are required.

#### 8. **Hotel and Motel Expenses**

- a. The choice of lodging shall be based on cost with consideration given to accessibility in conducting business.
- b. When an employee is approved by his/her supervisor to attend a specific business function that includes staying at a particular lodging accommodation, that does not honor the GSA rate, the employee shall be entitled to full reimbursement only if required to stay at such lodging accommodation. This written authorization must be attached to the expense report. If written authorization is not provided, then the maximum lodging rate is applicable. Any amount in excess of the standard lodging allowance must be accompanied by an explanation of the reasonableness of such expense.
- c. When an employee is approved to attend a business function that does not specify the particular lodging accommodations, the employee's lodging reimbursement will be based upon the GSA lodging rate.
- d. If the lodging is shared, indicate the employee's name who shared the room. One employee will claim the entire expense.
- e. All lodging expenses must be supported by the itemized hotel receipt.
- f. The standard maximum permitted amount for lodging shall be the applicable GSA Rates. If an employee is required to stay in a city not listed in the GSA *Per Diem Rates*, the applicable standard state rate shall apply.
- g. Expenses for lodging at homes of relatives or friends are not reimbursable.
- h. When registering in hotels or motels or signing for any official purpose, Gateway employees shall use their business address and identification and ask for District





discounts.

- i. Gateway Technical College is exempt from paying Wisconsin sales tax.

**9. Other Allowable Expenses**

- a. Other allowable expenses must be reasonable and necessary, the purpose of which should be directly related to Gateway business. (See Policy C-130b, Purchasing Card)
- b. Reimbursable expenses not specifically listed in the policy may include: luggage handling, parking, taxi service, business related telephone calls, internet usage, and registration fees. Attach receipts for all itemized expenses.
- c. Tips for meals are included in the meal allowance as specified in Section 7. Tips paid for other services must include a description of service for which a tip was paid. Tips should be limited to a maximum of generally twenty percent (20%) of total services rendered.

**10. Outside Contracted Personnel Expenses**

- a. Travel and meal expenses for outside contracted personnel are not subject to the limitations imposed on college employees.
- b. All travel and meal expenses incurred by outside persons contracted by the college shall be reviewed and approved by the immediate supervisor before reimbursement by the college.
- c. Expenses incurred by outside contracted persons must be reasonable and necessary for the direct purpose of the contract. Documentation of expenditures to support all travel and meal expenses will be submitted to the immediate supervisor. Documentation shall include the names of the individuals and companies represented, location of meeting, costs incurred, time and date. Reimbursement for alcoholic beverages is not allowed.

**11. Foreign Travel**

- a. All travel to destinations outside the United States shall be in accordance with Policy C-120, Sections 1-10.
- b. All travel to destinations outside the United States shall be approved by the president or designee.
- c. Business Office must be notified of all international travel prior to traveling for insurance purposes.
- d. If international travel is grant funded, verify the applicable grant guidelines before planning the trip. Many granting agencies require specific processes and/or prior approval before international travel is allowed.
- e. Expense reports for foreign travel must be submitted in U.S. Dollars using the exchange rate in effect during the dates of travel. Documentation indicating what exchange rate was used to make the conversions should be submitted with the expense reimbursement form. Currency exchange rates can be found at several web sites including [www.gocurrency.com](http://www.gocurrency.com). If purchases were made via credit card, use the exchange rate provided by the credit card company. Credit card transaction fees associated with currency conversion will be reimbursed with appropriate documentation.

**12. District Board Members and the President**

- a. District Board members (per Wisconsin Statutes 38.08 (4)) shall receive their actual and necessary expenses incurred in the performance of their duties. All reimbursable expenses should reflect good judgement to minimize District costs and related taxpayer support. Meal expenses for meetings, socials, celebrations, etc., hosted and/or attended by the District Board members and their invited guests, that are considered reasonable and necessary business activity, are fully reimbursable and not subject to Travel Policy C-120.
- b. The president shall receive his/her actual and necessary expenses incurred in the performance of his/her duties. All reimbursable expenses should reflect good judgement to minimize District costs and related taxpayer support. Travel and meal expenses for meetings, socials, celebrations, etc., hosted and attended by the president and his/her



invited guests, that are considered reasonable and necessary business activity, are fully reimbursable and not subject to Travel Policy C-120.







## C-125 POST-ISSUANCE COMPLIANCE POLICY FOR TAX-EXEMPT AND TAX-ADVANTAGED OBLIGATIONS

### STATEMENT OF PURPOSE

This Post-Issuance Compliance Policy (the "Policy") sets forth specific policies of Gateway Technical College, Kenosha, Wisconsin (the "Issuer") designed to monitor post-issuance compliance of tax-exempt obligations or tax advantaged obligations ("Obligations") issued by the Issuer with applicable provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and regulations promulgated thereunder ("Treasury Regulations").

The Policy documents practices and describes various procedures and systems designed to identify on a timely basis facts relevant to demonstrating compliance with the requirements that must be satisfied subsequent to the issuance of Obligations in order that the interest on such Obligations continue to be eligible to be excluded from gross income for federal income tax purposes or that the Obligations continue to receive tax advantaged treatment. The federal tax law requirements applicable to each particular issue of Obligations will be detailed in the arbitrage or tax certificate prepared by bond counsel and signed by officials of the Issuer and the post-closing compliance checklist provided by bond counsel with respect to that issue. This Policy establishes a permanent, ongoing structure of practices and procedures that will facilitate compliance with the requirements for individual borrowings.

The Issuer recognizes that compliance with applicable provisions of the Code and Treasury Regulations is an on-going process, necessary during the entire term of the Obligations, and is an integral component of the Issuer's debt management. Accordingly, the analysis of those facts and implementation of the Policy will require on-going monitoring and consultation with bond counsel and the Issuer's accountants.

### GENERAL POLICIES AND PROCEDURES

The following policies relate to procedures and systems for monitoring post-issuance compliance generally.

1. The vice president/CFO (Compliance Officer) shall be responsible for monitoring post-issuance compliance issues.
2. The Compliance Officer will coordinate procedures for record retention and review of such records.
3. All documents and other records relating to Obligations issued by the Issuer shall be maintained by or at the direction of the Compliance Officer. In maintaining such documents and records, the Compliance Officer will comply with applicable Internal Revenue Service ("IRS") requirements, such as those contained in Revenue Procedure 97-22.
4. The Compliance Officer shall be aware of options for voluntary corrections for failure to comply with post issuance compliance requirements (such as remedial actions under Section 1.141-12 of the Regulations and the Treasury's Tax Exempt Bonds Voluntary Closing Agreement Program) and take such corrective action when necessary and appropriate.
5. The Compliance Officer will review post-issuance compliance procedures and systems on a periodic basis, but not less than annually.



## Issuance of Obligations Documents and Records

With respect to each issue of Obligations, the Compliance Officer will:

1. Obtain and store a closing binder and/or CD or other electronic copy of the relevant and customary transaction documents (the "Transcript").
2. Confirm that bond counsel has filed the applicable information report (e.g., Form 8038, Form 8038-G, Form 8038-CP) for such issue with the IRS on a timely basis.
3. Coordinate receipt and retention of relevant books and records with respect to the investment and expenditure of the proceeds of such Obligations with other applicable staff members of the Issuer.

## Arbitrage

The following policies relate to the monitoring and calculating of arbitrage and compliance with specific arbitrage rules and regulations. The Compliance Officer will:

1. Confirm that a certification of the initial offering prices of the Obligations with such supporting data, if any, required by bond counsel, is included in the Transcript.
2. Confirm that a computation of the yield on such issue from the Issuer's financial advisor or bond counsel (or an outside arbitrage rebate specialist) is contained in the Transcript.
3. Maintain a system for tracking investment earnings on the proceeds of the Obligations.
4. Coordinate the tracking of expenditures, including the expenditure of any investment earnings. If the project(s) to be financed with the proceeds of the Obligations will be funded with multiple sources of funds, confirm that the Issuer has adopted an accounting methodology that maintains each source of financing separately and monitors the actual expenditure of proceeds of the Obligations.
5. Maintain a procedure for the allocation of proceeds of the issue and investment earnings to expenditures, including the reimbursement of pre-issuance expenditures. This procedure shall include an examination of the expenditures made with proceeds of the Obligations within 18 months after each project financed by the Obligations is placed in service and, if necessary, a reallocation of expenditures in accordance with Section 1.148-6(d) of the Treasury Regulations.
6. Monitor compliance with the applicable "temporary period" (as defined in the Code and Treasury Regulations) exceptions for the expenditure of proceeds of the issue, and provide for yield restriction on the investment of such proceeds if such exceptions are not satisfied.
7. Ensure that investments acquired with proceeds of such issue are purchased at fair market value. In determining whether an investment is purchased at fair market value, any applicable Treasury Regulation safe harbor may be used.
8. Avoid formal or informal creation of funds reasonably expected to be used to pay debt service on such issue without determining in advance whether such funds must be invested at a restricted yield.
9. Consult with bond counsel prior to engaging in any post-issuance credit enhancement transactions or investments in guaranteed investment contracts.
10. Identify situations in which compliance with applicable yield restrictions depends upon later investments and monitor implementation of any such restrictions.
11. Monitor compliance with 6-month, 18-month, or 2-year spending exceptions to the rebate requirement, as applicable.
12. Procure a timely computation of any rebate liability and, if rebate is due, to file a Form 8038-T and to arrange for payment of such rebate liability.
13. Arrange for timely computation and payment of "yield reduction payments" (as such term is defined in the Code and Treasury Regulations), if applicable.





## Private Activity Concerns

The following policies relate to the monitoring and tracking of private uses and private payments with respect to facilities financed with the Obligations. The Compliance Officer will:

1. Maintain records determining and tracking facilities financed with specific Obligations and the amount of proceeds spent on each facility.
  2. Maintain records, which should be consistent with those used for arbitrage purposes, to allocate the proceeds of an issue and investment earnings to expenditures, including the reimbursement of pre-issuance expenditures.
  3. Maintain records allocating to a project financed with Obligations any funds from other sources that will be used for otherwise non-qualifying costs.
  4. Monitor the expenditure of proceeds of an issue and investment earnings for qualifying costs.
  5. Monitor private use of financed facilities to ensure compliance with applicable limitations on such use. Examples of potential private use include:
    - a. Sale of the facilities, including sale of capacity rights;
    - b. Lease or sub-lease of the facilities (including leases, easements or use arrangements for areas outside the four walls, e.g., hosting of cell phone towers) or leasehold improvement contracts;
    - c. Management contracts (in which the Issuer authorizes a third party to operate a facility, e.g., cafeteria) and research contracts;
    - d. Preference arrangements (in which the Issuer permits a third party preference, such as parking in a public parking lot);
    - e. Joint-ventures, limited liability companies or partnership arrangements;
    - f. Output contracts or other contracts for use of utility facilities (including contracts with large utility users);
    - g. Development agreements which provide for guaranteed payments or property values from a developer;
    - h. Grants or loans made to private entities, including special assessment agreements; and
    - i. Naming rights arrangements.
- Monitoring of private use should include the following:
- a. Procedures to review the amount of existing private use on a periodic basis; and
  - b. Procedures for identifying in advance any new sale, lease or license, management contract, sponsored research arrangement, output or utility contract, development agreement or other arrangement involving private use of financed facilities and for obtaining copies of any sale agreement, lease, license, management contract, research arrangement or other arrangement for review by bond counsel.

If the Compliance Officer identifies private use of facilities financed with tax exempt or tax advantaged debt, the Compliance Officer will consult with the Issuer's bond counsel to determine whether private use will adversely affect the tax status of the issue and if so, what remedial action is appropriate. The Compliance Officer should retain all documents related to any of the above potential private uses.

## Qualified Tax-Exempt Obligations

If the Issuer issues "qualified tax exempt obligations" in any year, the Compliance Officer shall monitor all tax exempt financings (including lease purchase arrangements and other similar financing arrangements and conduit financings on behalf of 501(c)(3) organizations) to assure that the \$10,000,000 "small issuer" limit is not exceeded.





## Federal Subsidy Payments

The Compliance Officer shall be responsible for the calculation of the amount of any federal subsidy payments and the timely preparation and submission of the applicable tax form and application for federal subsidy payments for tax advantaged obligations such as Build America Bonds, New Clean Renewable Energy Bonds and Qualified School Construction Bonds.

## Re-issuance

The following policies relate to compliance with rules and regulations regarding the re-issuance of Obligations for federal law purposes. The Compliance Officer will identify and consult with bond counsel regarding any post-issuance change to any terms of an issue of Obligations which could potentially be treated as a re-issuance for federal tax purposes.

## Record Retention

The following policies relate to retention of records relating to the Obligations issued. The Compliance Officer will:

1. Coordinate with staff regarding the records to be maintained by the Issuer to establish and ensure that an issue remains in compliance with applicable federal tax requirements for the life of such issue.
2. Coordinate with staff to comply with provisions imposing specific record keeping requirements and cause compliance with such provisions, where applicable.
3. Coordinate with staff to generally maintain the following:
  - a. The Transcript relating to the transaction (including any arbitrage or other tax certificate and the bond counsel opinion);
  - b. Documentation evidencing expenditure of proceeds of the issue;
  - c. Documentation regarding the types of facilities financed with the proceeds of an issue, including, but not limited to, whether such facilities are land, buildings or equipment, economic life calculations and information regarding depreciation.
  - d. Documentation evidencing use of financed property by public and private entities (e.g., copies of leases, management contracts, utility user agreements, developer agreements and research agreements);
  - e. Documentation evidencing all sources of payment or security for the issue; and
  - f. Documentation pertaining to any investment of proceeds of the issue (including the purchase and sale of securities, SLGs subscriptions, yield calculations for each class of investments, actual investment income received by the investment of proceeds, guaranteed investment contracts, and rebate calculations).
4. Coordinate the retention of all records in a manner that ensures their complete access to the IRS.
5. Keep all material records for so long as the issue is outstanding (including any refunding), plus seven years.

## Continuing Disclosure

Under the provisions of SEC Rule 15c2-12 (the "Rule"), underwriters are required to obtain an agreement for ongoing disclosure in connection with the public offering of securities in a principal amount in excess of \$1,000,000. Unless the Issuer is exempt from compliance with the Rule as a result of certain permitted exemptions, the Transcript for each issue of Obligations will include an undertaking by the Issuer to comply with the Rule. The Compliance Officer of the Issuer will monitor compliance by the Issuer with its undertakings, which may include the requirement for an annual filing of operating and financial information and will include a requirement to file notices of listed "material events."



### **Conduit Bond Financings**

In conduit bond financings, such as industrial revenue bonds or Midwestern Disaster Area Bonds, the Issuer is not in a position to directly monitor compliance with arbitrage requirements and qualified use requirements because information concerning and control of those activities lies with the private borrower. The Issuer's policy in connection with conduit financings is to require that the bond documents in such financings impose on the borrower (and trustee or other applicable party) responsibility to monitor compliance with qualified use rules and arbitrage and other federal tax requirements and to take necessary action if remediation of nonqualified bonds is required.





## C-130 PROCUREMENT

**POLICY:** This policy provides direction for the purchasing of needed materials and services, ensuring open and free competition; compliance with all relevant laws, statutes and regulations; and integrity.

**SCOPE:** Procurement includes purchases, rentals, lease/purchases, rental/purchases, and contracts for services including personal and professional services. The following procurement policies and procedures are based on Administrative Rule TCS 6 and 34 CFR, 80.36 (1-1-98 Edition), but are not limited to them. All federally funded procurements shall be made in accordance with appropriate federal regulations unless State Board Policy, State Statutes, or Administrative Rules are more restrictive. These procedures apply to all District expenditures.

**DEFINITION:** Procurement means buying, purchasing, renting, leasing, or otherwise acquiring any supplies, services, equipment or construction, and includes any other activity pertaining to obtaining supplies, services, equipment or construction.

### INTRODUCTION

Wisconsin Administrative Rule TCS 6.03 requires each technical college District Board to have established written policies governing procurement that meet standards contained in the code. Legislative authority requiring this statement is contained in Wisconsin Statutes 38.12(7). Procurements for the District will be made in compliance with Administrative Rules, appropriate Federal and State Statutes, and procedures as set forth in the Wisconsin Technical College System Financial and Administrative Manual. These procedures are meant to be the minimum requirements for procurement. The District requires that all procurements be subjected to audit.

### PURCHASING AUTHORITY

The President is the procurement authority for the District and has assigned responsibility for administering procurement procedures to the CFO/Vice President of Finance and Administration or his/her designee.

### AUDIT PROCEDURE

The Business Office is responsible for verifying that procurement meets guidelines established in the College's Administrative Procedures and College Practices Manual, and that budgetary funds are available before authorizing release of the procurement order.

### CONFLICT OF INTEREST

Gateway Technical College employees shall not, by act of commission or omission, in their capacities as employees of the College, exercise discretionary power in a manner inconsistent with the duties of their positions or the rights of others or with the intent to obtain dishonest advantages for themselves or others. No employee, officer, or agent may participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest. Employees involved in procurement shall have no financial interest in any such procurement and shall not receive any gratuity or other financial gain from any supplier. Further information is contained in Conflict of Interest policy C-110c.

**PROCUREMENT REVIEW**

Annually, as required in Administrative Rule TCS6.05, the Director, Budgets and Purchasing shall review all procurements of \$50,000 or less of similar goods, supplies or services that total \$50,000 or more in aggregate to determine if a more competitive procurement process will be used in succeeding years. This review is to be based on a report containing transaction detail grouped by similar goods, supplies, and services and a total for each grouping. Since similar items of a common nature are generally purchased from a common vendor, a report of procurements with transaction detail by vendor is sufficient to comply with this requirement. The annual procurement review report for the prior fiscal year is to be submitted to the District Board for formal action by October 31. Such action is to be reflected in the board minutes.

**PROCUREMENT GUIDELINES:**

1. General Requirements: The following requirements are to be used for all procurements unless the requirement is applicable to only certain procurements:
  - a. Departments will avoid making unnecessary and duplicate purchases.
  - b. Where applicable, the department initiating the purchase request needs to make an analysis of lease vs. purchase alternatives.
  - c. All procurements must be conducted in a manner that provides maximum open and free competition.
  - d. Bids, proposals and quotes are allowed to be received via fax and email, provided it is stated so in the solicitation, and purchasing staff can insure that the security and integrity of the procurement process is followed.
  - e. All awards will be made only to responsible contractors or proposers that possess the ability to perform successfully under the terms and conditions of the proposed procurement.
  - f. Caution is to be used when using vendors to assist in the development of specifications for bids or RFPs. It is prohibited to consider a bid or RFP response from a vendor that developed salient features of the bid/RFP which would provide the vendor with an unfair advantage due to designing the specifications in a non-generic manner or advanced notice of specifications for contracted services, or would in any way provide such a vendor with an unfair competitive advantage. Per the requirements of Title 2, Part 200.319 (a), for procurements using federal funds, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.
  - g. Procurement contracts may be awarded for a period not to exceed five years, with an option of additional consecutive one year extensions, for up to a maximum total contract length (including extensions) of seven years. The proposed contract period along with any provisions for extensions must be incorporated into the original bid, RFP, or quote specifications. Contracts may not be renewed beyond the original contract length including allowable extensions. Exceptions to the seven year total contract length rule are:
    - 1) Contracts for audit services are restricted to a five-year maximum, including any extensions.
    - 2) Maintenance agreements for ERP systems are restricted to a ten-year maximum, including any extensions.
    - 3) Procurement of outside legal services may be obtained either by the RFP process on a regular basis, or through an annual letter of engagement.
  - h. Changes or modifications to the scope of the original RFP and resulting contracts shall be considered separate procurements and are required to follow appropriate procurement processes.





- i. A cost/benefit analysis of contracting for professional services vs. employing staff must be conducted when the need for this service is ongoing.
- j. Real estate leases for greater than 15,000 sq. ft. that are for a five year period or longer or that require the building of a custom-built facility must comply with all applicable WTCS procurement requirements. Exceptions to the competitive process for real estate leases are:
  - 1) Real estate leases from District foundations
  - 2) Renewals of current real estate leases
  - 3) Real estate leases for buildings within one-quarter mile of the perimeter of a current District-owned facility
- k. All real estate leases are subject to WTCS Board approval except for rentals of \$50,000 or less and where the term of the lease is less than 3 years.
- l. Purchases of land or existing buildings must be procured by means of an RFP unless a sole source situation exists for buildings within one-quarter mile of the perimeter of a current District owned facility.
- m. Fringe benefits are prohibited from being included in any professional services contract.
- n. Staff are encouraged to source supplies through vendors on the college's designated E-Commerce website.

## 2. Small Purchase

- a. Procurements of less than \$25,000 do not require a formal competitive process. However, every effort should always be made to obtain the best possible price for the college by seeking quotes from more than one vendor. A competitive selection process may still be required in cases where multiple small procurements with a single vendor total more than \$50,000 over the course of a fiscal year.
- b. Note: Federal procurements of \$10,000 or less may be procured using the 'micro-purchase' process under Title 2, Part 200.320 (a). This process allows purchases of \$10,000 or less to be awarded without soliciting competitive quotations if the college considers the price to be reasonable and the purchase necessary. To the extent possible, micro-purchases should be distributed equitably among qualified vendors.
- c. Federal procurements of \$10,000 to \$25,000 require quotations to be obtained from a minimum of two vendors.
- d. Procurements of \$25,000 to \$50,000, except as provided in the exceptions section, shall be based on written quotations from three or more vendors if the procurement is not made by competitive sealed bid. Solicitation of quotations shall be done in a manner to maximize competition.
- 1) A copy of all quotes received shall be attached to the requisition form used for initiating the procurement. If a quotation other than the lowest is recommended, supporting documentation must be provided in writing justifying the request. The CFO/Vice President of Finance and Administration, or their designee, must approve any deviation from the lowest price concept.

## 3. Procurement of \$50,000 or more (non-construction)

- a. Solicitations shall meet the following requirements:
  - 1) Solicitation shall include a clear and accurate description of the item or service
  - 2) Description shall not contain features which unduly restrict competition
  - 3) Detailed product specifications are to be avoided, if possible
  - 4) When a clear and accurate description is impractical or uneconomical, a "brand name or approved equal" description may be used. Specific features of the names brand which must be met by offerors must be clearly stated.







- 5) Solicitations shall include all requirements which offerors must fulfill and all other factors to be used in evaluating the bids or proposals.
- b. Sealed bids: Except as provided in the exceptions subsection, the procurement will be made by competitive sealed bids when:
  - 1) Complete, adequate and realistic purchase description is available, and,
  - 2) Two or more responsible vendors are willing and able to compete, and,
  - 3) The procurement lends itself to a firm-fixed price contract, and,
  - 4) The selection of the vendor can be made principally on the basis of price.
- c. Formal advertising: In addition to soliciting bids from an adequate number of known vendors, an invitation to bid will be published as a class 1 notice in a college-designated newspaper or posted on a District-designated public website. These bid notices shall contain:
  - 1) A unique bid number
  - 2) The place the sealed bid should be returned to and the time and date deadline for accepting bids. This deadline shall be at least seven (7) days after publication of the bid notice. The college shall record the time and date of receipt on the face of the sealed envelope.
  - 3) Adequate purchase description – If the purchase description is not published, the invitation to bid must clearly state how it may be obtained.
  - 4) A statement that only sealed bids will be accepted and that the bid number must be stated on the face of the bid envelope.
  - 5) A statement that bids must be guaranteed for 30 (or more) days following the date of the bid opening.
- d. Public opening:
  - 1) All bids must be opened at a public opening.
  - 2) Two college employees shall be present and shall initial or sign the bid opening attendance sheet.
  - 3) The bid opening may be held at the bid submission deadline.
  - 4) Any bid that is received after the stated deadline will be rejected and not opened.
  - 5) The bids will be read aloud and presented for public inspection.
  - 6) The award may be made at a later date.
  - 7) A bid opening spreadsheet will be completed at the time the bids are opened, including the bid identification number, the publication date(s) of the bid notice, date and time of the public opening, each bid received, and individuals present unless documented elsewhere.
- e. Bid Award:
  - 1) The award shall be made to the lowest responsible bidder. Factors such as discounts, transportation costs, and life-cycle costs may be taken into consideration. Payment terms discounts may be taken into consideration only if the payment term discounts have generally been taken in the past.
  - 2) Any or all bids may be rejected when there are sound, documented business reasons.
  - 3) Minor irregularities in bids may be waived; however, any irregularity that could substantially change the bids of other vendors may not be waived.
- f. Competitive Selection Procurements (Requests for Proposal - RFP): Except as provided in the exceptions subsection, the procurement will be made by competitive selection (RFP) when:
  - 1) Conditions are not appropriate for the use of sealed bids as specified above, and/or
  - 2) A firm-fixed price contract is not appropriate, and/or
  - 3) When factors other than price are of primary consideration in awarding the procurement.





- 4) RFP Guidelines:
  - a) Request for proposals shall be solicited and formally advertised in the same manner as described for bids (above).
  - b) The scope of the request for proposal shall be written in clear, concise and measurable terms, and shall identify all significant evaluation factors and their relative importance.
  - c) The length of the proposed contract, along with any extensions, shall be included in the specifications.
  - d) Mechanisms must be provided for the technical evaluation of the proposals received, determination of responsible offerors for the purchase of written oral discussions, and selection for contract award.
  - e) The award shall be made to the qualified offeror whose proposal is most advantageous to the college – price and other evaluation factors considered.
- g. Best and Final Offer (BAFO)
  - 1) The best and final offer (BAFO) process presents an optional step in the request for proposal selection process, not part of the contract negotiation process, and may be used when:
    - a) No single response addresses all the specifications
    - b) The cost submitted by all proposers is too high
    - c) The scores of two or more proposers are very close after the evaluation process
    - d) All proposers submitted responses that are unclear or deficient in one or more areas
  - 2) The original request for proposal document must contain language that indicates that the BAFO process may be used.
  - 3) Details for the use of the BAFO process are outlined in the WTCS Financial and Administrative Manual, in the Procurement section.
- h. Public Construction:
  - 1) Public construction, as defined in TCS-6.05(g), includes all labor and materials used in the framing or assembling of component parts in the erection, installation, enlargement, alteration, repair, conversion, razing, demolition or removal of any fixed equipment, building or facility.
  - 2) Except as provided in the exceptions subsection, sealed written competitive bids shall be obtained in accordance with s.38.18 and s. 62.15 when the anticipated cost exceeds \$25,000 for projects defined as public construction.
  - 3) Public construction bids shall be solicited in the same manner as described for bids (above), except that construction bids require publication of a Class 2 notice to inform potential bidders of the proposed construction.
  - 4) A bid bond is required for all public works contracts under s. 62.15 of the Wisconsin Statutes.
  - 5) Projects funded by federal grants shall comply with the bidding requirements of the respective granting agency.
  - 6) Construction Contracts: All contracts requiring bids under this section shall be made in the name of the District and shall be executed by the District Board chairperson and secretary, and shall include the following clause:
    - a) *“All bidders providing \$10,000 or more of labor shall be associated with one or more of Gateway Technical Colleges approved training programs or registered with a State or Federal licensed apprenticeship program. In addition, the contractor and each subcontractor shall employ apprentices from each building trade craft if they are available and appropriate for the nature of the work as determined by Gateway Technical College.”*





- 7) All vendors and/or contractors providing building trade services to Gateway Technical College for federally funded construction projects with a total cost exceeding \$2,000 are required to pay prevailing wage rates for the trade(s) or occupations(s) needed to complete the project. Building trades and prevailing wage rates are defined as per the Wisconsin Department of Workforce Development. Upon request, the contractor will provide payroll reports for work completed for Gateway Technical College.
- 8) For the purpose of procurement, the District Board shall possess the powers conferred by s. 62.15, Wis. Stats., on the Board of Public Works and the Common Council.
- i. Exceptions: Certain circumstances justify the use of less stringent procurement procedures. These situations are:
  - 1) Resale items are not subject to competitive requirements; however, bulk supplies and any other resale commodity should be bid whenever possible.
  - 2) Used equipment, including scrap metal, from a vendor who offers it for immediate sale may be purchased through noncompetitive negotiation.
  - 3) Copyrighted materials shall be procured through noncompetitive negotiation unless they are available from more than one vendor.
  - 4) Sole source procurement: Purchases may be made directly from a single vendor when appropriately substantiated in writing for any of the following situations:
    - a) The item or service is only available from a single source. Also see below for specific brand name requirements.
    - b) After solicitation in a competitive procurement, competition is determined to be inadequate.
    - c) The purchase is from another governmental body.
    - d) Cooperative purchasing under s.16.73 Wis. Stats., is utilized.
    - e) The purchase is made through a cooperative purchasing association which has a competitive purchasing process that is substantially the same as the competitive procurement requirements applicable to the WTCS and which has been recognized by the state director.
    - f) A federal grantor agency authorizes noncompetitive negotiation.
    - g) For procurements made by the Wisconsin Technical College System Purchasing Consortium, adherence to the requirements of the WTCS Financial and Administrative Manual as they apply to Gateway Technical College's share of the total cooperative purchase shall be sufficient to allow the College to participate in the procurement and purchase from resulting contracts.
  - 5) The District Board has delegated the authority to authorize sole source procurements to the District president. The District president further delegates authority to authorize sole source procurements to the CFO/Vice President of Finance and Administration and to the Purchasing Department, to the extent such sole source authorizations are made in accordance with WTCS rules and requirements. The Purchasing Department may also submit the sole source procurement request to the WTCS state director for approval for circumstances that they deem appropriate and necessary.
  - 6) Emergency Procurements: When public exigency or emergency will not permit a delay resulting from competitive solicitation, the District may determine the procurement methodology most appropriate to the situation. Emergency procurements are limited to procurements necessitated by a threat to the continued operation of the District or to the health, safety or welfare of students, staff, or the immediately affected general public. Written documentation of the bases of the emergency and the vendor selection methodology and selection must be maintained.
- j. Specific Brand Name:





- 1) Instructional equipment: When key employers in the District require that potential employees be trained on a specific brand of equipment, the District is authorized to procure that brand. Prior to awarding the procurement, one of the following must be obtained and forwarded to the Purchasing Department for approval by the CFO/Vice President of Finance and Administration:
    - a) Letters from key employers which state that individuals need to be trained on the specific brand of equipment, and/or,
    - b) Minutes of Advisory Committee meetings supporting a specific brand name purchase if it is documented in the motion that the members of the Advisory Committee are the key employers in the District and they need their employees trained on the specific brand of equipment.
  - 2) Non-instructional equipment: Specific brand name is authorized when:
    - a) The procured equipment interfaces with existing District equipment and the function of the existing equipment will be impaired if a different brand is procured, or
    - b) The procured equipment is incorporated into a piece of existing District equipment that will not function using another brand, or
    - c) Existing District equipment includes a warranty that will be voided if component units are combined/replaced with another brand, or
    - d) The federal or other grantor agency authorizes or requires the use of a specific brand.
  - 3) If the specified brand is only available from one vendor, the procurement may be made as a sole source procurement as identified above. If the specified brand is available from more than one vendor, the procurement will be made by using the appropriate competitive process, and the description may contain the brand name without the use of the term "or equal".
- k. Federal Procurements:
- 1) All procurements using federal funds shall follow the federal procurement guidelines unless the procurement guidelines for Gateway Technical College are stricter. See procurement guidelines above for specific details.
  - 2) Per Executive Order 12549 and 12680, contracts, agreements, or subcontracts for goods or services utilizing federal funds with a value of \$25,000 or more will not be awarded to any party that has been suspended or debarred from doing business with the federal government.
    - a) Language regarding suspension and debarment will be included in any formal quote, bid, or RFP for goods or services that are known to be purchased with federal funds.
    - b) To ensure compliance with suspension and debarment, after completing the competitive selection process, procurement staff will check the Excluded Parties Listing maintained by the General Services Administration at [www.sam.gov](http://www.sam.gov) before any award is made. This record shall be maintained with the procurement file.
  - 3) Geographical preference is prohibited, except where applicable Federal statutes expressly mandate or encourage geographical preference.





- I. Contract Provisions: All contracts in excess of \$50,000 (\$10,000 for federally funded contracts), or as listed below, shall contain:
  - 1) Provisions for termination by the District
  - 2) Conditions under which the contract may be terminated for default
  - 3) Conditions where the contract may be terminated due to circumstances beyond the control of the contractor
  - 4) Provisions for administrative, contractual or legal remedies when contractors violate or breach contract terms
  - 5) A provision requiring compliance with Executive Order 11246, Equal Employment Opportunity, as amended by Executive Order 11375, and as supplemented in Department of Labor regulations (41 CFR Part 60). For construction contracts, the threshold for compliance with this provision is \$10,000. All contracts that meet the definition of federally assisted construction contract must include the equal opportunity clause.
- m. Documentation: Documentation and records sufficient to detail the significant history of procurements of \$25,000 or more shall be maintained, including the following:
  - 1) Evidence of the method of procurement
  - 2) Selection of contract type
  - 3) Vendor selection or rejection
  - 4) Basis for cost or price
  - 5) Letters from key employers requiring the use of a specific brand of equipment, where applicable.
  - 6) Bid documentation:
    - a) Invitation to Bid (Class 1 notice, or Class 2 notice for construction) or proof of internet posting on an approved website
    - b) Bid document, including any addenda
    - c) Vendor list of solicited bids
    - d) Bids received from vendors, including date and time received.
    - e) Completed bid spreadsheets
    - f) Vendor selection, including rationale if not awarded to lowest bidder
    - g) All other significant correspondence or documentation
  - 7) Request for Proposal Documentation:
    - a) Publicized request for proposal (Class 1 notice) or proof of internet posting on an approved website
    - b) RFP document, including any addenda
    - c) Vendor list of solicited proposals
    - d) Completed evaluation summary sheets
    - e) Vendor selection, including rationale if not awarded to vendor with highest score
    - f) All other significant correspondence or documentation
- n. Documentation shall be maintained per Record Retention Policy.



## C-130a PROCUREMENT OF EQUIPMENT, SERVICES, AND SUPPLIES

### POLICY

Equipment, contracted services, supplies, etc. totaling less than \$25,000, shall be procured in accordance with Procurement policy C-130, with proper authorizations, by one of the following methods:

- Requisitions
- Purchasing Card (See Policy C-130b)
- Direct Purchase

### PROCEDURE FOR REQUISITIONS

1. Purchase shall be initiated on District requisition forms by appropriate District personnel.
2. All requisitions will be approved by the appropriate immediate supervisor.
3. Requisitions shall be forwarded to the Purchasing department for processing.
4. Purchasing department shall:
  - a. review for proper signatures,
  - b. check the budget,
  - c. check proper account classifications,
  - d. review suggested vendor(s); if change is necessary, Purchasing department shall consult with department head.
  - e. At the completion of the above steps, the purchase will be completed using the appropriate purchasing method.

#### 5. ***Emergency Procedure for Procurement of Items under \$25,000***

When public exigency or emergency will not permit a delay incident to competitive procurement, districts may determine the procurement methodology most appropriate to the situation.

Emergency procurements are limited to procurements necessitated by a threat to the continued operation of the District or to the health, safety or welfare of students, staff, or the immediately affected general public. Written documentation of the basis of the emergency and the vendor selection methodology and selection must be maintained.



## C-130b PURCHASING CARD

### POLICY PURPOSE

To provide control and accountability over the college's Purchasing Card (P-Card) program in order to ensure that only authorized college purchases are made, and all necessary supporting documentation is provided.

### SCOPE

This policy prescribes the rights and responsibilities of the program administrator, P-Card holder, and approver, along with what expenses are allowed on the P-Card.

### PROCEDURE

#### 1. General

- a. The Purchasing Card (P-Card) program provides designated cardholders with the capacity and the authority to purchase needed supplies, materials, and services. It is an alternative method for purchasing which eliminates the need to generate requisitions, purchase orders, and individual vendor payments. The P-Card is the preferred payment method for all approved purchases, with the exception of those noted in #3 below.
- b. The P-Card program generates an annual rebate for the college.
- c. The District shall select the P-Card provider through the Request for Proposal process, or by piggybacking an existing cooperative contract.

#### 2. P-Card Program Responsibilities

- a. Specific guidelines, procedures, and forms related to the P-Card program shall be administered by the P-Card Program Administrator, who is the Purchasing Agent.
- b. The Program Administrator administers the issuance of cards to individuals after receipt of the completed *Request for P-Card* form that has been approved by the individual's budget officer.
- c. Before a new P-Card is distributed, the cardholder must agree to abide by this policy, all guidelines and procedures, and sign the *Cardholder User Agreement*. Inappropriate use of the P-Card or other violations of the P-Card program by any cardholder will result in revocation of individual cardholder privileges and/or appropriate disciplinary action, up to and including termination of employment.
- d. The cardholder is responsible for reviewing their statement for accuracy, completing the expense reporting, and providing an itemized receipt for all charges.
- e. The cardholder may at their discretion, assign a reconciler to do some or all of the Pcard reconciliation process.
- f. The approver is responsible for reviewing all charges to ensure that they are appropriate for position and responsibilities, and for making any necessary changes to the expense reporting GL coding.
- g. The Program Administrator is responsible for spot auditing of cardholder's receipts to verify that charges are supported by matching vendor receipt. The Program Administrator is also responsible for the Purchasing Department P-Card that is issued in the name of the Purchasing Agent.
- h. Pcard files will be audited by the Pcard Administrator and Accounts Payable on a rotating basis. Clubs are 100% audited by the Finance Associate. In addition to all Pcard files being audited by the Program Administrator, Accounts Payable shall audit cardholder's P-Card files on a rotating basis per a published schedule. The Controller shall audit all charges on the Purchasing Department P-Card on a monthly basis. All Pcard files are also subject to review by external auditors on an annual basis.



3. Allowable Expenses/Not Allowed Expenses

- a. For staff other than the president, meals are not an allowable expense on the P-Card.
- b. Use of Gateway funds for departmental parties, personal retirement/going away parties, or gifts for employees is strictly prohibited.
- c. Personal charges are not allowed.
- d. Cardholders are allowed to make college purchases only from the template for which their card is approved and set up.
- e. Procurement Policy C-130 must be followed for all P-Card charges.
- f. Travel Policy C-120 must be followed for all travel related charges.
- g. Purchase of Food Policy C-130c must be followed for any non-meal related charges.
- h. Gift cards and event tickets are allowable purchases but must comply with cash receipt policy #C-145.
- i. Computer equipment and software must be processed through the LID support specialists and therefore is not an allowable expense on the P-Card.
  - 1) Exception: LID and Purchasing Department P-Cards
- k. Capital expenditures may be charged on the P-Card. However, the requisition **MUST** first be sent through Perceptive Content for appropriate signatures and the assignment of the capital GL number.
  - 1) Exception: Certain capital orders on the LID P-Cards, as outlined in the Procedures Manual.
- l. Federally funded purchases are not allowed on P-Card.
  - 1) Exception: LID and Purchasing Department P-Cards.
- m. Purchases and invoices for construction projects (object codes 58200, 58300 and 58305) are to be paid through Accounts Payable.
- n. If a cardholder makes a purchase that is not an allowable expense, the cardholder is liable to reimburse Gateway Technical College for the charge per the signed *Cardholder User Agreement*.

4. Miscellaneous

- a. Cardholders ending their employment at the college must surrender their card to the Program Administrator and must reconcile their final statement and provide receipts.
- b. Cardholders transferring positions under a new budget officer must notify the Program Administrator of the change.
- c. To be in compliance with PCI-DSS standards, no credit card information shall be exchanged via email.
- d. Lost or stolen cards must be reported immediately to the Program Administrator, or after hours, directly to the bank.
- e. Separate Pcard expense report in the travel and expense software must coincide with Pcard US Bank Cycle Calendar.







# C-130c PURCHASE OF FOOD

## POLICY

### Meals, Meetings, and Events

Gateway Technical College purchases food for various kinds of meetings and events. This policy outlines what food purchases are allowable.

## POLICY GUIDELINES

1. Business Meals/Meetings
  - a. Reimbursable business meals are defined as meals during which specific college business takes place where a 3rd party (non-Gateway employee) is involved.
  - b. Reimbursable meal expenses should reflect good judgment to minimize college costs and related taxpayer support. The college will reimburse a business meal expense, excluding alcohol, when it is deemed to be necessary, reasonable, and business appropriate.
  - c. Reimbursement of meals will occur when they are an integral part of the business meeting or activity, not as a matter of personal convenience. Staff other than the Executive Leadership Council (ELC) members must have preapproval by their supervisor and/or budget officer prior to the occurrence.
  - d. The standard maximum allowable rate for business meals/meetings is the Wisconsin GSA individual meal rate. Temporarily, due to inflation and rising costs, there is some flexibility granted in the maximum allowable rate for catered business meals/meetings with Business Office approval required if proposed cost in excess of \$20 per person.
2. College Meetings/Events
  - a. On those occasions that are initiated, or approved, by a member of the ELC, Gateway Technical College may furnish food during College-wide or campus-wide meetings (i.e. Employee Learning Day, Adjunct In-Service), board meetings, president called meetings, or special events.



- b. A detailed description must be submitted with the original itemized receipt for any food that is purchased for the above listed meetings or events, including the meeting or event name, purpose, and date.
  - c. Food for unit/division/departmental meetings is an allowable expense if the meeting spans four (4) or more hours, and includes four (4) or more employees. A detailed description must be submitted with the original reimbursement receipt for any food that is purchased for a meeting or event, including the meeting or event name, purpose, date, and list of attendees.
  - d. Use of Gateway funds for departmental parties or personal parties (i.e. retirement, going away, showers) is strictly prohibited.
  - e. The purchase of food for meetings or events is an allowable expense if the meeting or event includes non-Gateway individuals during which specific college business takes place.
  - f. The standard maximum allowable rate for business meals for meetings is the Wisconsin GSA individual meal rate. Temporarily, due to inflation and rising costs, there is some flexibility granted in the maximum allowable rate for catered business meals/meetings with Business Office approval required if proposed cost in excess of \$20 per person.
- 3. District Board Members and the President
  - a. District Board members (per Wisconsin Statutes 38.08 (4)) and the president shall receive their actual and necessary expenses incurred in the performance of their duties and are not subject to Purchase of Food Policy C-130c. All reimbursable expenses should reflect good judgement to minimize District costs and related taxpayer support.
  - b. Meal expenses for meetings, socials, celebrations, etc., hosted and attended by the president and/or the District Board members, and their invited guests, that are considered reasonable and necessary business activity, are fully reimbursable and not subject to Purchase of Food Policy C-130c.
- 4. General
  - a. Business Meals ONLY - Original itemized receipts for meals and food expenses (including tips), must be submitted for reimbursement.
  - b. Tips for meals are included in the meal allowance.
  - c. Tips should be limited to a maximum of generally twenty percent (20%) of total services rendered.



- d. No reimbursement is allowable for the cost of alcoholic beverages.
- e. Celebratory, incentive, and morale building meals could be subject to inclusion in an employee's taxable income.

\*This current revision supersedes previous revisions of this document.



## C-140 DEPOSITORY AND INVESTMENT OF FUNDS

### **POLICY**

It is the policy of Gateway Technical College to ensure that taxpayer funds are invested in a sound and prudent manner.

### **PROCEDURE**

1. Competitive proposals are to be requested from financial institutions every seven (7) years for checking account services. Proposals shall be secured no later than ninety (90) days prior to the expiration of the existing contract. The successful proposer will be the depository for college checking account funds. Additional depositories may be authorized in locations to enable daily deposit of funds collected and the withdrawal of those funds will be authorized only to the principal depository.
2. The checking account services shall require that all funds in excess of the compensating balance will be invested daily in a repurchase agreement.
3. The financial institution acting as a depository for the college's funds must agree to pledge collateral to secure all Gateway funds (including repurchase agreements) over and above the amounts guaranteed by the Federal Deposit Insurance Corporation and the State Deposit Guarantee Fund. All securities serving as collateral shall be specifically pledged to Gateway (not part of a pooled fund) and placed in a custodial account in Gateway's name at a Federal Reserve Bank, a trust department of a commercial bank, or through another financial institution. The custodian may not be owned or controlled by the depository institution or its holding company unless it is a separately operated trust institution.
5. The Chief Financial Officer, or designee will be authorized to make short-term and long-term investments with financial institutions, Wisconsin Local Government Investment Pool, and the Wisconsin Investment Trust provided that the Administration determines that the funds are adequately secured, taking into consideration the nature and type of the investment.





## C-144 CASH MANAGEMENT

### POLICY PURPOSE

To ensure the college has a cash management system that complies with federal, internal, and if necessary, state regulations and which provides adequate control and necessary flexibility to make timely deposits and disbursements.

**SCOPE:** This policy governs all cash management at the college.

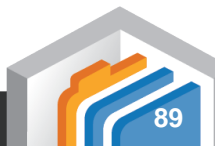
### PROCEDURES

#### 1. Receipts for Cash

- a. The College has policies (Cash Receipt Policy and the Depository and Investment of Funds Policy) to ensure that all cash received is deposited on a timely basis and is invested when permitted in accordance with its policies and federal regulations.
- b. In addition, the college system provides for careful monitoring of cash flow to include the following safeguards:
  - 1) A cashiering system is in use at the three main college campuses.
  - 2) Cash withdrawals and deposits are made in a timely fashion.
  - 3) All cash accounts are reconciled on a monthly basis.
  - 4) The college does not request advance payments of federal or state grant funds. Funds are only requested after expenses are incurred.

#### 2. Recording of Cash

- a. The college has policies and procedures to record the receipt of income (Cash Receipt Policy) and to disburse cash (Disbursement Procedures).
- b. To ensure accurate billing to agencies for receivables, and to report its cash management activities to sponsoring agencies:
  - 1) The college maintains a current directory of budget officers who are authorized by the institution to approve disbursement funds for all goods and services.
  - 2) Financial and budgetary transactions are monitored to maintain conformance with institutional and extramural agency regulations.
  - 3) All grant related cash receipts are tracked with a project-specific general ledger code.
  - 4) All accounts are monitored to ensure that credits, refunds, and rebates are processed in a timely manner.
  - 5) All receivables are monitored monthly to provide for timely billing and payment of monies due.
  - 6) The management and reporting of program income, if received, is in accordance with the appropriate federal regulations.
  - 7) The institution has appropriate relationships with banking institutions to effect and receive electronic funds transfer payments.
  - 8) The Business Office has appropriate procedures in place to identify and appropriately credit payments made through electronic funds transfer as well as other payment in a timely manner.
  - 9) The college ensures separation of duties or mitigating controls between receipt of checks and deposits.





## C-145 CASH RECEIPT POLICY

### **POLICY/SCOPE**

To ensure the safeguarding of cash from theft, loss, and misuse and to ensure the timely depositing and recording of cash in the accounting system. This policy governs the management of all cash receipts at the college.

### **PROCEDURE**

1. Cash is received in the Student Services Centers of the main campuses (Kenosha, Racine, and Elkhorn) from students for payment of tuition and fees and other student related charges, and from clubs for deposits from fundraising and other activities.
2. Cash is received in the Business Office from all other sources including miscellaneous functions and activities throughout the college such as employee reimbursements, scrap metal sales, etc.
3. Cash is received in auxiliary programs including Culinary Arts, Barber Studio, The View on 5 salon and Spa, The Cut salon, and the Horizon Center, and other miscellaneous areas.

### **Proper Handling of Cash**

1. All forms of cash received must be properly safeguarded at all times by the use of a safe or locked cash drawers (in limited cases only if approved by the CFO) until deposited at the bank.
2. All checks must be immediately endorsed with a restrictive endorsement made payable to Gateway Technical College.
3. All cash received will be deposited intact. Cashing checks or making change for employees from college funds is strictly prohibited.
4. Refunds or reimbursements for expenditures must not be paid out of cash receipts or cash.
5. Cash advances/loans are strictly prohibited from cash collections and cash on hand.
6. Cash should never be sent via interoffice mail.
7. Checks will not be circulated throughout the college except in special circumstances when checks need to be routed to the Business Office for deposit. In most cases, checks that cannot be deposited at a Student Service Center should be hand carried to the Business Office for deposit.
8. All credit card payments received by any office of the college should adhere to Policy H-192 found in the Gateway Technical College Administrative Procedures & College Practices Manual.

### **Cash Received in the Student Services Centers**

1. Cash receipts are entered directly into a cash receipt session in Colleague as it is received from students and a receipt is provided to the students for all payments at that time. If payment is received by mail from a student, a receipt is immediately mailed to the student for the transaction.
2. The cash in the Student Services Centers is counted daily and only in the safe room at each location by the Student Express Associate receiving the cash. At the end of the day, the cash totals are reconciled to the cash receipt session created at the beginning of the day. The cash is then stored in the safe and verified the next day by the campus cashier prior to depositing.
3. Cash received in the Student Services areas is deposited with the bank via armored car service at least once per week on each campus.
4. All cash received by clubs, Culinary Arts, Barbering/Cosmetology, Auto Repair, and any other auxiliary area, will be receipted at one of the Student Services locations and included in the deposits at those locations.
5. In addition to the specifics of this policy, the deposit preparation procedures established by the Student Success Division (Exhibit A) should be followed at all locations.





## Cash Received in the Business Office

1. A receipt is issued to anyone bringing cash to the Business Office to be deposited. The receipt must list the reason for the deposit and include a general ledger account number to credit for the deposit.
2. Due to a very small amount of cash received in the Business Office, it will be deposited at the Kenosha Student Service Center at least once a week.
3. Checks and other applicable negotiable items received in the Business Office will be deposited via Desktop deposit in accordance with the Business Office Cash Deposit procedure.
4. The accounting associate will verify that all cash received belongs to Gateway. In addition they will ensure that they have the proper general ledger coding before entering into the accounts receivable system.
5. The grant accounting manager or grant accounting analyst is notified immediately of all funds received from grants in order to ensure proper coding to the correct general ledger accounts.

## Cash Received in Auxiliary and Other Areas

1. The receipt of cash in auxiliary and any other areas of the college shall be in compliance with the entirety of this policy and procedures established by each area that are to be approved by the Controller.
2. All cash received in these areas should be deposited at the nearest Student Services Center or the Business Office and a copy of the transaction receipt should be retained for documentation.

## Cash Retrieved from Kiosks

Kiosks are made available to students at each of the main campus locations for the convenience of certain transactions. The removal of cash from the kiosks shall be in compliance with the procedures established in the procedure document entitled Kiosk Collections and Reporting Process

## Cash on Hand

A small amount of cash is kept by the campus cashiers at each main campus location (Kenosha, Racine, and Elkhorn) to be used as working funds. This cash should be stored in a safe and will be audited periodically throughout the year by the campus cashiers and on a yearly basis by an accounts receivable associate. A physical audit of this can be performed by the CFO or Controller at any time.

## Gift Cards and Other Cash-like Items

1. Gift cards and other cash-like items cannot be purchased to distribute to students, staff, or as prizes at special events using Gateway funds. In the event if grants allow the purchase of these items, they should be treated as cash and should be properly secured at all times.

## Cash Reconciliations

1. All cash receipts recorded on the general ledger from all sources are reconciled to the bank statement on a daily basis.
2. In addition, the Controller reconciles the bank statement to the general ledger on a monthly basis.



## C-150 CONTRACTS FOR SERVICE

### POLICY

Pursuant to the provisions of Section 38.14(3) of the Wisconsin Statutes, the Gateway District may enter into contracts to provide services to public educational institutions, local governmental bodies, private educational institutions, businesses, and industries. The District may also enter into contracts to provide fiscal and management services to state and local governmental units.

### PROCEDURE

#### 1. Service Recipient Obligations

Every service recipient shall certify in the contract that organizational policy prohibits discrimination on the basis of age, race, color, sex, creed, handicap, political persuasion, ancestry or sexual orientation against:

- a. Any student or any applicant for enrollment in regard to admission or privilege of enrollment.
- b. Any employee or applicant for employment, in regard to hire, tenure or term, condition or privilege of employment except where there is a bona fide occupational qualification.

#### 2. District Employee Regulations

- a. No employee of the District may receive any additional salary, benefits, or reimbursements for expenses for work performed pursuant to a contract for service where that employee is currently being compensated by the District for that work under existing conditions of hire, except when it has been determined by the vice president that the time worked in the execution of the contracted service is beyond the regularly scheduled work day or Gateway District contract period. Under those circumstances, employees of the Gateway District will receive additional salary, benefits or reimbursement for expenses for work performed pursuant to the contract for service.
- b. Employees performing work under the contract for service shall be governed by the Gateway District and Wisconsin Technical College System Board policies, procedures, and qualification requirements, as well as State of Wisconsin Statutes and administrative codes including Section 946.13.
- c. Potential royalties from materials developed pursuant to a contract for service shall be owned by the District. The District may, at its discretion, agree to share royalties with a service recipient in accordance with the terms and conditions of the contract for service. Gateway staff members may receive royalties for materials developed on their own personal time.

#### 3. Classification

- a. All contracts for service will be classified as: 1) Within District; 2) Out-of-District but within State; and 3) Foreign Government or Business. In addition said contracts are subject to the provisions noted below and all payments received from service recipients will be deposited in the Gateway District treasury.
- b. WITHIN DISTRICT  
The charge for contracts for service within the District in no case shall be less than an amount equivalent to course tuition and fees for aidable instructional contracts. In any event, the charge should not exceed full direct costs plus an indirect overhead charge established by the Wisconsin Technical College System Board. The president or







designee has discretion to establish the contract fee within the above parameters after review with appropriate staff.

c. OUT-OF-DISTRICT BUT WITHIN STATE

The Gateway District may contract with a service recipient located outside of the District but within the State. The Dean of BWS, or designee, will inform their WTCS counterpart in the district where the service recipient is located of the existence of said contract within thirty (30) days of its initiation. The charge for contracts for service out-of-district but within the State in no case shall be less than an amount equivalent to course tuition and fees for aidable instructional contracts. In any event, the charge should not exceed full direct costs plus an indirect overhead charge established by the Wisconsin Technical College System Board. Payments received from service recipients will be deposited in the Gateway District treasury. The president or designee has discretion to establish the contract fee within the above parameters after review with appropriate staff.

d. FOREIGN GOVERNMENT OR OUT-OF-STATE BUSINESS OR FEDERAL GOVERNMENT

Pursuant to the provisions of Section 38.14(3)c and (d) of the Wisconsin Statutes, the District may enter into contracts for service with a foreign government or any business or industry which is not operating in this state.

District may contract with a foreign government or any business which is not operating in this state if the District demonstrates that the District will receive a direct and measurable benefit from the contract and that the contract will not result in a reduction in the quality of education at District schools and if all of the following conditions are met:

- 1) The contract meets all of the requirements set forth in this policy.
- 2) The contract provides for full cost recovery so that no direct or indirect costs under the contract will be funded by the District. Indirect costs will be the rate established by the Wisconsin Technical College System Board. Payments received from service recipients will be deposited in the Gateway District treasury.
- 3) The Gateway District Board reviews all cost allocation and record keeping systems for all services provided under the contract, which shall be subject to audit by the District Board, and provides guidelines which conform to the requirements of this paragraph.
- 4) The Gateway District Board agrees to conduct an audit, on at least an annual basis, to determine that no state aids or District tax funds are spent in the execution of the contract.

- e. High School Contracts: Dual Credit contracts with high schools in no case shall be less than an amount equivalent to course tuition and fees for aidable instructional contracts. Class sizes will be established using academic program standards and the same college guidelines used to determine if a regular academic course would be run or canceled. Contracts that include non-aidable coursework will calculate instructional delivery costs using the total number of student contact hours and the published hourly rate for government entities. Additionally, all supplies, materials, textbooks, and any other classroom related costs will be included on the contract so the college recoups any costs incurred. In compliance with section C, Out of District, but within state, the Director of High School Partnerships, or designee, will inform their WTCS counterpart in the district where the dual credit service recipient is located of the existence of said contract within thirty (30) days of its initiation.



- f. No District employee may receive compensation from an international contract in excess of the compensation that he or she receives as compensation as a District employee, and any compensation that a District employee receives from an international contract shall be paid in proportion to the percentage of an employee's workload that represents the amount of time that an employee is assigned to work under a contract.

### **GENERAL PROVISIONS**

This policy expressly prohibits any District resident from being displaced from any program or course solely on the basis of a contract for services with a service recipient. Gateway District residents currently on a waiting list to enter a regularly scheduled program or course will not be displaced by "slotting" an employee or student of a service recipient into that program or course. For purposes of furthering federal programs that are legislatively mandated, slots will be allocated sixty (60) days prior to the start of courses available for open enrollment. Additional course sections may be created to accommodate service recipients provided there is no subsequent reduction in existing offerings.





## C-160 DISTRICT RELATIONS WITH PRIVATE SECTOR ON GOODS AND SERVICES

### POLICY

Given the range of potential products and services that Gateway Technical College offers to students and staff, it is prudent that there be a policy for determining what may be properly offered and under what circumstances. In addition, given the possible effects such offerings may have upon the private sector, it is necessary that there be an established review and dispute procedure involving representatives of all potentially affected parties. Any activities provided by Gateway for goods and services are permissible only if the activity is:

1. Deemed important to the fulfillment of Gateway's education, training and economic development functions;
2. Needed to provide goods and services necessary for District operations at a reasonable price, on reasonable terms, and at a convenient location and time; and
3. Carried out with sensitivity to the larger community for the primary benefit of the District community.

### PROCEDURES

The following are guidelines used for implementing the above activities:

1. All activities paralleling the private sector must be integral to the fulfillment of the District's instructional, research, or public service missions. Exceptions may be granted if any of the following pertain:
  - a. There are compelling reasons of economic efficiency. Economic efficiency means that District resources can be made available to the larger community at relatively little additional cost to the District.
  - b. The product or service is unavailable elsewhere in the community. Unavailability may be defined in terms of the lack of quality or quantity of the product or service;
  - c. The product or service is a major convenience to the District community including students, staff, and other members of the public participating in District activities. Convenience is typically defined in geographic terms: i.e., private sources are too far away to be, practically, the supplier, although other factors may also be involved; or
2. The District's offering of the product or service is of major importance to the maintenance of the quality of the District's operations and facilities.
3. The pricing of goods or services offered by the District shall recover full costs or be set higher so as to be comparable to private sector prices unless a reduced price is demonstrated to be necessary to fulfill a function integral to the mission of the District.
4. The District Board shall appoint a private sector relations review committee to review specific areas of potential competition with the private sector. The membership of the committee shall include representatives of the District Board, the private sector and the general public. Any proposed provision of goods and services presented to the committee shall include full documentation of costs, and pricing considerations. The committee shall review the proposal for compliance with District Board guidelines. The review shall include a determination that any pricing structure complies with District Board criteria. The committee shall report its findings to the District Board before it acts upon the proposed offering of goods and services.



5. Disputes by private sector providers shall be forwarded to the private sector relations review committee for an advisory opinion. The Gateway District Board shall consider the opinion and render its own decision. The private sector provider/s shall be notified in writing of the District's decision with regard to the dispute within thirty (30) days of receipt of a formal written complaint. The private sector provider may request a Gateway District Board review of the decision by formally requesting such a review in writing.



## C-170 CAPITALIZATION POLICY

### POLICY PURPOSE

The purpose of this policy is to prescribe capitalization guidelines to account for the college's capital assets in accordance with Generally Accepted Accounting Principles applicable to government entities and with the Wisconsin Technical College System Financial Accounting Manual (WTCS FAM) in order to safeguard the assets, keep accurate financial records, and prepare required state and federal reporting.

### SCOPE

This policy governs the control and accountability over the college's capital assets to provide for the classification, accounting and financial reporting of those assets.

### Capital Asset Definitions and Classifications

1. Capital assets are tangible and intangible assets acquired for use in operations that will benefit two or more fiscal years.
2. Capitalization thresholds: In accordance with the WTCS FAM, the capitalization threshold is \$5,000 for equipment and \$15,000 for remodeling (e.g., building improvements). The capitalization threshold for site improvements and leasehold improvements is \$15,000. Intangible assets threshold is \$5,000.

### Categories of Capital Assets include:

1. Land (site) improvements - Attachments to the land that have limited lives and therefore are recorded separately and are depreciable. Includes parking lots, sidewalks, driveways, fencing and gates, landscaping, exterior lighting, retaining walls, plazas, pavilions, paths/trails, and recreation areas.
2. Building - A structure that is permanently attached to the land, has a roof, is partially or completely enclosed by walls, and is not intended to be mobile.
3. Building improvements - Additions and improvements to a building that increase the value and/or useful life of the building (rather than considered a repair) and meet the capitalization threshold. Additions, improvements, or replacement of permanently attached fixtures include:
  - a. Original installation/upgrade heating and ventilating systems, structures attached to the building (e.g., covered patio, garages, enclosed stair wells)
  - b. Additions to building including expansions, extensions, or enlargements
  - c. Exterior renovation (e.g., replacement of siding roofing, masonry, etc.)
  - d. Interior renovation (e.g., removal, relocation, or upgrading of walls, upgrade of lighting, replacement of electrical wiring in a section of a building, replacement of plumbing fixtures in a section of a building)
  - e. Original installation/upgrade of wall or floor covering such as carpeting, tiles, paneling in a section of a building
  - f. Installation or upgrade of windows or door frames
  - g. Installation or upgrade of phone or closed circuit television systems, networks, fiber optic cable throughout a building
  - h. Permanently attached fixtures or machinery that cannot be removed without impairing the use of the building.
4. Leasehold improvements- Additions or improvements that increase the value or useful life of a building that is leased for more than one fiscal period and meet the capitalization threshold (see below).
5. Leasehold interest- Improvements on real property where the improvements are built on land owned by another party.
6. Equipment- Fixed or movable tangible assets to be used for operations with a life expectancy of two or more years (e.g. - classroom equipment machines, furniture, vehicles).





7. Intangible Asset - An asset that lacks physical substance, is nonfinancial in nature (i.e., not cash, securities, receivables or prepayments for good or services) and its initial useful life benefits two or more fiscal years. Examples include computer software and licenses, patents, trademarks, and easements. Software maintenance agreements are to be expensed in the period incurred.
8. Capital asset "set" definition: A set is a group of items that are interrelated and whose usefulness would be significantly impaired if any one or more of the items were removed from the set. A basic supplemental criterion that should be used in determining a set is how the industry markets their products. If they market them as a package, then there is an argument for the items to be considered a set. Computer purchases coordinated through the Learning Innovation Division (LID) and bundled into a single purchase for the college-wide technology refresh program, classroom furniture purchased for a classroom refresh, and purchases of library books are assets that may be immaterial for capitalization on an individual basis, but are considered material collectively for the college and should be capitalized. These collective purchases are still subject to the overall capitalization thresholds established in this policy.

## **Capitalization, Accounting, and Cost Basis Guidelines**

1. **Accounting Threshold/Recording:**
  - a. The accounting threshold for equipment is \$5,000. Capital outlay expenditures will be recorded in the capital projects fund for an expenditure which results in the acquisition of capital assets or additions to capital assets which are presumed to have benefits for more than two years. Any acquisition, construction, equipping, remodeling, or improvement financed through the proprietary or trust/agency funds must be budgeted and accounted for in the respective fund.
  - b. Capital outlay includes expenditures for land or existing buildings, improvements or grounds, construction of buildings, additions to buildings, remodeling of buildings, and equipment costing more than accounting threshold for the applicable fiscal year per unit or set.
  - c. Any equipment or software purchase that meets the capital threshold of \$5,000 qualifies as a capital outlay and should be charged to capital. These purchases shall be reviewed by the Director of Budgets and Purchasing for final determination.
2. **Software Capitalization**
  - a. Computer software that costs \$5,000 and has a life of two or more years is capitalized as an intangible asset. Software purchases that meet the threshold for capitalization are recorded as capital outlay in a Capital Projects Fund or Enterprise fund as appropriate. When software is procured in conjunction with the hardware on which it will operate, the software and the hardware are to be considered a single procurement and accounted for as such.
  - b. When licensing agreements are procured in conjunction with software, the agreement and the software are to be considered a single procurement and accounted for as such.
    - 1) Annual licensing fees are to be expensed and not capitalized.
    - 2) Maintenance agreements are current expenditures and are not to be capitalized.





**3. Land**

- a. Purchased land should be carried at cost including professional fees (title searches, architect, legal, engineering, appraisal, surveying, environmental assessments, etc.).
- b. Demolition of existing buildings and improvements, less salvage, would be capitalized as land.
- c. Donated land should be recorded at the appraised market value at the time of donation. Land is not depreciated.

**4. Buildings**

- a. Purchased buildings should be recorded at the original purchase price plus expenses for remodeling, reconditioning or altering to make it ready to use, environmental compliance (e.g., asbestos abatement) professional fees (legal, architect, inspection, appraisal, title search, etc.), cancellation or buyout of existing leases on the building, and other costs required to place or render the asset into operation.
- b. Constructed buildings should be recorded at completed project costs, including the cost of excavation or grading or filling of land, building permits, and professional fees (architect, engineer, management fees for the design and supervision, legal fees, etc.). Architect fees are expensed if construction of a building does not occur.
- c. Donated buildings should be valued at the appraised market value as of the date of donation.

**5. Leasehold Improvements**

- a. During the lease the expense of the improvement can be capitalized over the term of the lease.
- b. Leasehold improvements will revert to the lessor at the expiration of the lease.

**6. Equipment**

- a. Improvements or additions to existing equipment that constitute a capital outlay or increase the value or life of the asset by 25 percent of the original cost or life should be capitalized and recorded as a sub-asset of the existing asset.
- b. The asset should be recorded at cost, including freight, installation, and other charges incurred to place the asset into service.
  - 1) Donated equipment should be recorded at the fair market value established as of the donation date.
  - 2) Maintenance agreements purchased in conjunction with equipment are current expenditures and are not capitalized

**7. Depreciation/Amortization:** The systematic and rational allocation of the (estimated) historical cost of a capital asset or, if donated, the fair market value of the capital asset, over its estimated useful life.

- a. Depreciation Method: All tangible capital assets (excluding land, which is non-depreciable) will be depreciated using the straight-line method half-year convention. This spreads out the cost of the asset evenly over its entire useful life while recognizing a half year when placed in service or when asset is disposed.
- b. Useful Life: Estimating useful life means the estimated number of years that an asset will be able to be used for the purpose for which it was purchased. The asset's present condition, use of the asset, construction type, maintenance practices, and how long it is expected to meet service demands should be considered. It is recommended to use the general guideline obtained from professional, governmental, industry organizations or internal information. Leasehold depreciation will be based on the life of the lease or the remaining life of the lease at the time an improvement is capitalized.

**8. Inventory & Disposition of Capital Assets**

- a. Inventory: Tangible assets shall be tagged and detailed records will be maintained in the Fixed Asset software system. To maintain effective control and protect tangible capital





assets from loss, theft, or damage, the college will periodically inventory, at least on a random audit sample basis, no less than once every five years as recommended by the Government Finance Officers Association. (GFOA).

- b. Federally funded equipment will be tagged with a label indicating it is subject to federal guidelines before the sale or disposal of the equipment. A physical inventory of federally funded equipment shall be taken and the results reconciled with the equipment records at least once every two years.
- c. Donated equipment will be tagged with a label indicating the Gateway Technical College Foundation must be contacted for disposal instructions.
- d. Disposition: Excess, obsolete, or non-repairable equipment shall be disposed of according to policy E - 200 Disposal of College Property found in the college's Administrative Procedures and College Practices Manual.





**ADMINISTRATIVE PROCEDURE:**

**C-500 CONTRACT REVIEW PROCEDURES**

1. Contracts defined under this policy are any agreements for the purpose of leasing, purchase of services, and other activities such as clinical site, affiliations/experiential learning site, affiliations or contracts originated by another party, etc.
2. All contracts, of which Gateway Technical College is party, shall be signed by an Associate Vice President, Vice President, Executive Vice President/Provost, or President/Chief Executive Officer of the College.
3. All agreements for clinical/experiential learning affiliations, contracts originated by another party, or leasing of real property require the approval of the CFO/Vice President of Finance and Administration.
  - a. Contracts submitted to the CFO/Vice President of Finance and Administration for review should be attached to a cover letter/memo/e-mail written by the requester with the following:
    - 1) A summary of pertinent terms of the contract, i.e. fiscal impact, length of term, insurance requirements, etc.
    - 2) A recommendation by the requester to approve the contract.
  - b. The CFO/Vice President of Finance and Administration will forward the approved agreements to the initiator for further action.



## D-110 TELEPHONE USAGE

### POLICY

Gateway Technical College will provide telephone services for each classroom, conference room, and regular employee throughout the college. Gateway will also provide cellular telephones to specific employees upon request of the employee's supervisor under the language of this policy.

### PROCEDURE

#### 1. Office Telephones

##### a. Personal Telephone Calls

- 1) Employees should avoid making non-work related telephone calls. If an employee must make a non-work related call, it should be kept to a minimum and be performed on non-work time such as breaks, lunch, or after work.

##### b. Long Distance Calls

- 1) Employees should not make long distance non-work related telephone calls from the Gateway Technical College telephone systems.

#### 2. Cellular Telephone Assignments

- a. Employees may be provided a cell phone with supervisor approval. Supervisor should submit the request to the Vice President - Learning Innovation Division (CIO)
  - b. Employees assigned a Gateway-provided cellular phone should refrain from using GTC-issued cell phones for personal or non-business communications.
  - c. Authorized College staff may review cellular phone call and text-messaging records to identify any abuses of this policy.
  - d. Gateway employees may not transfer possession or usage of their Gateway-provided cellular phone to any other person. Any changes in cellular phone assignments/usage must be coordinated by the employee's supervisor. The supervisor will communicate to Tech Central whenever changes of this nature are made so that records can be accurately maintained.
3. Gateway Technical College will provide a current model cellular phone with charger and voicemail capabilities. Additional accessories may be purchased at the expense of the employee or the employee's department with supervisor approval.
  4. Employees will not be reimbursed for business-related calls received or made from their personal cellular telephone(s).
  5. Tech Central staff will install additional smartphone applications if approved.
  6. Employees should use "hands-free" options for cellular devices during operation of motor vehicles.
  7. Employees separated from the College will NOT be permitted to retain cellular phone devices or transfer their Gateway-assigned cellular phone number to personal plans.

### Non-Compliance

Violations of this policy will be subject to the sanctions outlined in policy H-190.

Revised: 10/10/2024



## E-100 SECURITY ADMINISTRATION (WORKPLACE VIOLENCE)

Workplace violence is a major challenge, unacceptable at any level in public or private institutions. Many legal responsibilities exist under provisions of the Occupational Safety and Health Act; the Wisconsin Safe Place Statute; the Drug Free Workplace Act, Title VII U.S.C., and the Wisconsin Fair Employment Act. Wisconsin statutes define workplace violence as 1) an act done with intent to cause bodily harm to that person or another without the consent of the person so harmed, and 2) conduct or expressions that threatens bodily harm.

Any form of harassment, intimidation, threats, or bullying that threatens bodily or emotional harm will not be tolerated. There is no justification for such actions. All employees and students who engage in such violent, threatening, intimidating or harassing behavior, will face discipline up to and including removal from their positions or academic programs. Members of the general public are also subject to this policy. Violators can be removed from campus and appropriate action taken.

### POLICY

1. Gateway Technical College's policy is to promote a safe campus environment for all those who work at, or use its facilities. The College is committed to maintain a campus community free from violence, threats of violence, harassment, intimidation and other disruptive behaviors.
2. Violence, possession of unauthorized weapons, threats of violence, harassment, intimidation and other disruptive behaviors that communicate the potential for physical harm, either directly or indirectly, will not be tolerated on college property. Such behaviors can include oral or written statements, gestures or expressions.
3. We recognize that the successful implementation of this policy requires the commitment and cooperation of all those whom Gateway Technical College employs and serves. It is the responsibility of everyone to report acts of violence, or threats of violence to the appropriate authorities. All reported incidents will be taken seriously and the president, or designee, will utilize the CARE (Communication, Awareness, Referral, and Evaluation) Behavioral Intervention Team, Emergency Response Plan, or Student Code of Conduct policy (J-300) to respond as appropriate.
4. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, as well as civil and/or criminal penalties. Discipline of students will be in accordance with the rules of student conduct. Discipline of employees will be in accordance with the applicable policies, agreements and/or Rules of Conduct.

### PROCEDURES

The College cannot guarantee the protection of students and employees against acts of violence. However, it adopts these procedures in an effort to minimize the risks of violent behavior and to provide a safe, secure place for students and employees to learn and to work.

#### 1. NON-EMERGENCY SITUATIONS

If the situation is not violent and poses no immediate danger of physical harm, but the individual is acting in a threatening, hostile, or aggressive manner, the reporting person should:

- a. Notify campus security, appropriate supervisor, instructor, or other college office.
- b. keep distance between himself/herself and the perpetrator.
- c. Identify an escape route.



- d. Be ready to summon the local police (911) if the situation escalates to an emergency situation.

## **2. EMERGENCY SITUATIONS**

If it is reasonable to believe that the situation presents an immediate threat of physical harm to oneself or others, the reporting person should follow these guidelines.

- a. Call the local police department (dial 911 if necessary).
- b. Do not attempt to control a violent individual.
- c. Notify campus security, a supervisor, instructor, or other college official.
- d. Individuals may need to seek safety by leaving area. When at all possible, a faculty member should remain with his or her class and send for help.

## **3. PROHIBITED ACTS**

Any person who makes threats of bodily harm, or exhibits threatening behavior either verbal or physical, or engages in such acts on Gateway property (including buildings, parking lots, etc.) shall be immediately removed from the premises and shall remain off Gateway premises pending the outcome of an investigation. Gateway Technical College will initiate a decisive and appropriate resolution. This resolution may include disciplinary action up to and including removal from a person's position or academic program. Furthermore, Gateway may seek legal prosecution against those acting in violation of the law or may seek an injunction against the individual found to have violated this policy. (This policy does not prevent any individual from pursuing legal actions on their own.)

## **4. WEAPONS ON COLLEGE PREMISES**

- a. No person shall possess a dangerous weapon in any college building. Persons who have lost the legal right to possess a dangerous weapon by federal, state, local statutes or federal, state or local court order may not possess a dangerous weapon within the premises of any college owned, leased, or operated location.
- b. No employee shall possess a dangerous weapon during the course of their employment, except as provided in state statutes (i.e., while in the employee's vehicle).
- c. "Dangerous weapon" means any firearm; any electric weapon, as defined in §941.295(4); metallic knuckles or knuckles or any substance which would be put to the same use with the same or similar effect as metallic knuckles; a nunchaku or any similar weapon consisting of two (2) sticks of wood, plastic or metal connected at one end by a length of rope, chain, wire or leather; a cestus or similar material weighted with metal or other substance and worn on the hand; a shuriken or any similar pointed starlike object intended to injure a person when thrown; a chain having weighted ends; any switchblade knife, as defined in §941.24, any knife with a blade longer than three (3) inches or any other device or instrumentality (as determined by the college) which, in the manner it is used or intended to be used, is capable of or likely to produce death or great bodily harm.
- d. College premises means within the property line of any college owned, leased or operated facility. School building means any college owned, leased, or operated building.
- e. Persons storing weapons within their own vehicles parked on college owned, leased, or operated parking lots or grounds must:
  - 1) Conceal the weapon from open view of persons moving in or around the vehicle.
  - 2) If a firearm, unload the weapon.
  - 3) If a firearm, store the weapon in a secured (locked) case or install a locked trigger guard.





- f. Any violation of the 'Weapons on College Premises' section of this policy shall be **immediately** reported to law enforcement authorities, if appropriate. Employees violating this policy shall be subject to employee disciplinary action up to and including termination. Students violating this policy shall be subject to disciplinary action which may include suspension or expulsion.
- g. EXEMPTIONS:
  - 1) This policy does not apply to authorized law enforcement officers or gainfully employed and authorized security officers operating within the scope and policies of their agency.
  - 2) This policy does not apply to Gateway's firearms instructors while engaged in firearms training classes or transporting weapons for repair or other training sessions, or to Gateway students who are not sworn law enforcement officers, but who are enrolled in Firearms Training classes, when they are transporting their weapons from their vehicles to the pistol range and back.
  - 3) The Director of Security may grant individual exceptions to this policy based on the needs of the college. Documentation of the exception, and any limitations imposed on the exception, will be maintained in the employee's personnel file.

## **5. OBLIGATION TO REPORT INCIDENTS OF VIOLENCE**

All Gateway personnel are responsible for documenting any incident within twenty-four (24) hours by contacting campus security or completing the on-line incident report. The report must include any threats, threatening behavior, or acts of violence as defined above which has been witnessed, when that behavior is job related or might be carried out on a Gateway controlled site (including off site locations such as the Martin Luther King Jr. Center). Unless a protective relationship exists, the reporting individual must complete an Incident Report and document the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening or violent behavior. Information received will be provided to Gateway officials on a need to know basis in order to investigate and/or initiate preventative or disciplinary measures. Other staff may be placed on alert if there is a continuing threat to their security.

## **6. REPORTING OF INCIDENTS**

- a. Officials receiving reports of violence or threatened violence or who have knowledge of something which may affect the security of students, staff or college property are to report the matter to campus security or by completing an Incident Report on-line utilizing the incident reporting system.
- b. INCLUDE THE FOLLOWING INFORMATION IN THE REPORT:
  - 1) Detailed description of what happened, where it happened, and when it happened.
  - 2) Identity of person(s) committing the threat or violent behavior.
  - 3) Identity of person(s) against whom the threat was made or violent behavior directed.
  - 4) Identity of person(s) reporting or witnessing the threat or violent behavior.
  - 5) Observations that would make you believe that the individual intends to follow through on a threat.
  - 6) How the matter was resolved or suggestions for minimizing the risk of a violent act based on the information available.
- c. Where it appears that criminal activity may be involved, be careful not to do anything that could jeopardize the outcome of an investigation. Do not change or disturb anything at the scene of the incident until properly documented by law enforcement officials, unless necessary to assist or secure the safety of victims.

## **7. TEMPORARY RESTRAINING ORDERS**



This policy requires all individuals who apply for or obtain a protective or restraining order which lists Gateway locations as being protected areas, to provide the Director of Security a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and ultimately a copy of any protective or restraining order which is made permanent.

**8. RESTRAINING ORDERS/ORDERS OF PROTECTION**

Anyone who has a restraining order or other order of protection against another person that identifies college facilities/locations as protected sites must provide the Director of Security with a copy of any temporary, protective or restraining order which is granted and a copy of any protective restraining order which is made permanent. The director of Security will distribute the order to the appropriate dean(s) of campus affairs, security, and any other administrative personnel deemed necessary.

**9. INVESTIGATIONS AND RESPONSE**

- a. The Director of Security and the appropriate dean(s) of campus affairs and other staff as needed, will meet or otherwise communicate to investigate any reported incidents.
- b. Privacy rights will be observed to the extent allowable to conduct a thorough investigation, and as permitted by law. Only those individuals with a clear need to know will be notified in cases where a person is perceived to be a threat to others. Confidentiality of those reporting violence or threats of violence will be maintained to the extent possible in investigating and resolving the complaint.
- c. Retaliation and/or reprisal against anyone who reports threats of violence or acts of violence in good faith is in violation of this policy. Anyone who engages in or assists in such retaliatory actions will be subject to disciplinary action up to and including suspension for students and termination of employment for employees.
- d. False reports, allegations and/or reports of threats and violence will be taken seriously. Anyone intentionally making false reports is subject to discipline. For students, this could include expulsion. For employees, it could include termination.

Adopted: October 10, 2011 (responsible department: Human Resources)

Supersedes: August 17, 2009; May 1999

Reaffirmed &/or Updated: July 25, 2012 (clarified bullying language in ¶12, 1<sup>st</sup> page of policy); October 19, 2006)



## E-115 FACILITY ACCESS AND CONTROL

### POLICY

All Gateway Technical College faculty, staff, and students share a responsibility for maintaining the security of the facilities.

In an effort to provide a safe and secure learning and work environment, Gateway Technical College will allow access to its facilities during 'normal operational hours' to all staff, registered students, tenants, and college guests. Staff who are performing a "critical function" for the college will be allowed access during non-normal operational hours. Tenants and staff requiring access to the facilities during non-normal operational hours must contact the campus dean per established procedures (see PROCEDURES).

### DEFINITIONS

1. Critical Areas: Safety and/or Security identified areas located within or outside of District-owned/operated buildings and grounds.
2. Critical Functions: Work related duties that must be performed at defined times and on-site.
3. College Identification: Identification media issued by Gateway Technical College to staff, students, or guests. When issued to a student, the identification will be 'validated' if within valid time period.
4. College: Gateway Technical College
5. Building Administrator: A person, identified by college administration, who will have the administrative responsibility for a college facility.
6. Key/Fob: Electronic Key/Fob, card, or other credentials issued to a requester in place of a physical key. May be programmed with various access times to multiple buildings and areas. Easily deactivated if lost or stolen.
7. Key: A physical key issued by Gateway Technical College Facilities management or designee for access to exterior and interior doors.
8. Master Key: Typically opens all doors within an area or building. Will open two or more related sub-master groups.
9. Sub-Master Key: Typically opens multiple related doors within an area or department.

### IDENTIFICATION OF STAFF AND STUDENTS

While on campus all staff will display their college identification. All students are required to possess, and present, when requested by a college staff member or college representative, their college identification when on any Gateway Technical College campus and facilities.

### KEYS AND ELECTRONIC ACCESS

Campus facilities managers or designee will be responsible for issuing keys and electronic access to staff and students on their campuses/centers. The facility manager or designee will be responsible for maintaining a database which will be housed on an identified network shared drive, of the person's issued keys and/or electronic areas.

### CRITICAL AREAS

Limited access areas located within and upon any college campus or facility will be clearly identified. Examples (but not limited to) of a 'critical area' would be Information Technology 'closet' areas that may be handling cash, information sensitive areas, or environmental systems area. Access to these areas will be controlled by having the access door keyed to a limited issued key or by having an electronic access system lock installed. Keys/electronic access will be granted only to those persons requiring operational access to the area. Outside vendors





remaining in critical areas, unescorted, are required to display a college issued 'Contractor' badge.

## FACILITIES ACCESS

1. Exterior keys will be issued only to building administrators, facilities managers, director Safety & Security, maintenance mechanics, contracted security, and ELC members (upon request). All others requiring access to any college facility will be granted entry through an electronic access system controlled door.
2. Keys or electronic access to 'non-critical' doors will be issued to all staff based on a campus or in a particular building on a campus. Students and other non-Gateway Technical College employed staff may be issued access strictly through the use of electronic means that can be monitored and controlled.
3. Designated facility department staff, under the direction of the campus facilities managers, will be allowed to copy or have a copy(s) made of District keys. Only facilities managers or security supervisors can program electronic keys/fobs and delegate distribution.

## PROCEDURES

1. Procedures for staff requesting access to college facilities during 'non-normal' hours.
  - a. Request for access must be made by an administrative staff member (for themselves or employees who report to them), with approval from the Director of Safety and Security, and then to the facilities managers for the campus/centers.
  - b. The request must be made a minimum of one (1) week prior (exceptions can be made for emergency situations).
  - c. The request must include a GL number that will be utilized to pay the custodial staff that will be utilized for the requested period.
2. Procedures for staff requesting access to college facilities during 'non-normal' hours..
  - a. Key/Fob: There are may be cases where requester is issued electronic access (key/fob) to a building or area when key issuance was not granted.
  - b. Master and Sub-Master Keys: These are subject to an additional review process and approval by program or campus dean.
  - c. Issuance of individual room or sub-master keys or fobs will be made rather than master keys whenever possible.
  - d. Students will not be issued a master key/master fob.
  - e. Key holder audits shall be performed at times of re-keying and as needed to update and review key issuance records.

## REQUESTS, AUTHORIZATION AND ISSUANCE

### Employees and Students

1. All requests for keys/Fobs must be submitted to the department associate using the authorized Request Form. Approved form will be submitted to facilities managers and security supervisors for distribution.
2. Key Request Forms may be signed by deans, their associates and other recognized managers for the specific department requesting the access.
3. Once the department approved form has been received by Campus Affairs Associate, the form will be processed and key/fob will be issued for areas and lock boxes.
4. Doors are not to be unlocked and/or opened by security or staff unless there is an emergency. Verify ID and notify the campus dean of violations. Please request your keys in a timely manner.
5. Keys and fobs must be picked up within ten (10) working days, unless arrangements have been made with Campus Affairs associate or aide. Unclaimed keys/Fobs will be returned to





inventory and a new request will have to be made and the appropriate supervisor will be notified.

**\*Student Only Note\***

1. Authorization for the issuance of keys/Fobs to students or student employees for areas is typically not granted except in cases where a clearly demonstrated need has been established and no workable alternative exists.
2. A one-time fee of \$10 for a fob must be paid to Student Services prior to fob issuance. Receipt of payment must be presented to the campus associate at the time of key/fob distribution. This is a one-time fee.
3. Exterior keys to college buildings shall not be issued to students.
4. Interior door keys may be issued on a temporary basis only.

## **RESPONSIBILITY /CONTROL**

The possession of a key/Fob to a college facility carries with it specific responsibilities:

1. Key/fob is intended for access of the designee only.
2. Do not leave them unattended in any location where they may be exposed to unauthorized use or theft.
3. Do not loan key/fob to anyone.
4. Do not identify key/fob with Gateway Technical College building/room names or numbers.

## **LOSS OR THEFT**

1. In the event of the loss or theft of any key/fob, file a Maxient report immediately, <http://www.gtc.edu/security>
2. Once a fob or key is reported lost or stolen:
  - a. A fob will be deactivated immediately; a \$25 fee may be applied for a replacement. This applies to students and staff.
  - b. The campus dean will review the situation and determine if a departmental meeting with affected parties is required.
  - c. If required, the meeting will be scheduled with the key holder, immediate supervisor and members of Facilities management.

## **KEY RETURN/FOB DEACTIVATION**

1. Any unused, obsolete or no longer needed key/Fob must be returned to the designated Campus Affairs associate or aide within ten (10) days.
2. Whenever a key holder leaves the college, issued key(s) must be returned to Facilities management by the individual or department representative, within ten (10) business days.
3. Failure to return key(s) may result in re-keying of affected locks. Costs to re-key are the responsibility of the individual or department.
4. A fob will be deactivated once the Director of Safety and Security is notified.
5. Student keys/fobs will be deactivated upon completion of the course/lab that the student was enrolled in.

## **POLICY REGULATION**

The Director of Safety and Security will be responsible for implementation and enforcement of the Gateway Technical College Key/Fob Control Policy. Review and approval by an authorized campus dean or designee will be necessary before any key/fob request will be processed.



## E-120 ACCIDENT REPORTING

### POLICY

All work-related accidents, injuries, or illnesses incurred on the premises must be reported immediately to the affected employee's supervisor and Talent and Culture to ensure proper administration and processing of incidents in accordance with college policy and applicable laws. All accidents, injuries, or illnesses incurred by students or visitors while on the premises must be reported immediately to the appropriate dean of campus affairs.

### DEFINITION

A work-related accident, injury, or illness is one arising out of and sustained in the course and scope of employment. The course of employment refers to activity which constitutes part of the employee's normal work day.

### PROCEDURE

#### 1. The Employee's Responsibility for Work-Related Events

- a. The employee will report all accidents, injuries, or illnesses immediately to his/her supervisor and to campus security.
- b. The employee will cooperate with the supervisor in completing the incident report by providing accurate information. Falsification of the facts surrounding the accident, or failure to report an accident, injury, or illness to a supervisor is grounds for disciplinary action. In addition, the claim of accident, injury, or illness may be challenged.
- c. An employee placed on a work-related disability leave of absence must contact his/her supervisor by phone at least once a week to notify the supervisor of his/her physical condition and progress of recovery.
- d. When the supervisor is informed that the employee is able to return to work, the supervisor will notify the employee of the date to return to work (if such date was not predetermined). If the employee fails to return on the specified date, he/she may be separated from the College.
- e. Before an employee may return to work following an on-the-job accident, injury, or illness, a doctor's release returning the employee to full duty must be presented to the employee's supervisor.

#### 2. The Supervisor's Responsibilities for Work-Related Events

- a. The supervisor will make certain the employee's medical needs receive immediate attention. Depending on the situation, it will be determined if first aid treatment or paramedic support, and/or transport to the nearest medical facility is necessary.
- b. The supervisor will complete the incident report using information provided by the injured employee and witnesses. The supervisor, director of Safety and Talent and Culture will investigate the accident to determine the cause and if safety rules or practices have been violated. The supervisor will initiate corrective action to prevent a similar accident.

#### 3. The Employee's Responsibility for Student / Visitor Events

- a. If the accident, injuries, or an illness occurs during a scheduled class, the instructor will immediately report the incident to campus security or complete the on-line incident report form.
- b. If the accident, injuries, or an illness occurs in a commons area of a building or campus grounds, the staff member will immediately report the incident to campus security or complete the on-line incident report form.



## E-130 CLOSING FACILITIES / CANCELLATION OF CLASSES

The decision to close facilities or campuses as well as cancellation of classes is the sole responsibility of the Executive Vice President - Academic Affairs.

### **Campus Closed**

1. The building(s) are closed, staff are dismissed

2. Facilities staff and designated Learning Innovation Division (LID) staff will remain or report if necessary, or unless excused by their supervisor. In person classes are canceled. ASYNC and OSYNC online classes will meet as scheduled and hybrid classes may meet online based on instructor direction.

### **College Closed**

Same as campus closed, but applied to all Gateway facilities.

### **Classes Canceled**

The building(s) are open/staff remain or report to work stations

### **Building(s) Emergency**

Building(s) are evacuated, return or dismissal determined by campus dean or designee.

1. Horizon Center, Administration Center, Conference Center, and Inspire Center are aligned with Kenosha Campus
2. iMET is aligned with Racine Campus
3. Burlington Centers are aligned with the Elkhorn Campus
4. Off-site locations are dictated by the actions of said location. SC Johnson/LakeView Tech Academy/Workforce Development Center/Job Center/Community Campus sites/High School locations

**Note: It is advised that campus closing or class cancellation decisions be made at least two (2) hours prior to said action and media notified by the college's Marketing & Communication office.**

### **Information on Closing**

Closings/Cancellations will be made in the following locations:

- Website: [www.gtc.edu](http://www.gtc.edu) (message will be near top-of-page)
- Text Message via Alert Us
- Gateway student and staff email announcement
- Facebook: [facebook.com/gatewaytechnicalcollege](https://facebook.com/gatewaytechnicalcollege)
- 1-800-353-3152 and general phone numbers for each affected campus or center will carry the recorded message
- WGTD FM 91.1 (FM 107.7 Elkhorn and FM 103.3 Lake Geneva)
- Other regional media

### **PROCEDURE**

- Facilities supervisors of the respective campuses are responsible to check campus and road conditions by 5:00 a.m.
- Facilities supervisors notify dean of campus affairs of conditions and agree on a recommendation.



- Facilities managers notify the Director of Facilities or designee by 5:15 a.m.
- Director of Facilities or designee will be in contact with the Executive Vice President of Academics by 5:30 a.m. or two (2) hours prior to any closing or class cancellation.
- If there is a decision to close, the Executive Vice President of Academic Affairs notifies the Director of Marketing & Communications and the ELC.
- Marketing & Communications notifies the media, webmaster, communications specialist, and Information Technology.
- The Learning Innovation Division is responsible for updating the college 800 emergency number
- Class Cancellation or midday closing decision by the Executive Vice President of Academic Affairs will be made at least two hours prior to notification of the media/public.

### INFORMATION DISSEMINATION

1. July 5 Information in the Student Handbook
2. August 15 Information presented to the faculty, adjunct faculty, and off campus faculty.
3. October 1 Sent to vice presidents and put on Intranet site/in 'Student'
4. November 1 Reminder of information sent
5. December 1 Third Reminder
6. January 5 Fourth Reminder
7. January 10 Information presented to the faculty, adjunct faculty, and off campus faculty

### EMERGENCY CLOSINGS

In case of bad weather, do not assume that classes are canceled. More than likely, Gateway classes will be held as scheduled. Each campus is closed on an individual basis, depending on each county's weather and road conditions. Students should check the following sources for updated information.

- Website: [www.gtc.edu](http://www.gtc.edu) (message will be near top-of-page)
- Text Message via Alert Us
- Gateway student and staff email announcement
- Facebook: [facebook.com/gatewaytechnicalcollege](https://facebook.com/gatewaytechnicalcollege)
- 1-800-353-3152 and general phone numbers for each affected campus or center will carry the recorded message
- WGTD FM 91.1 (FM 107.7 Elkhorn and FM 103.3 Lake Geneva)
- Other regional media





## E-135 SAFETY AND SECURITY SYSTEMS

### POLICY

1. Gateway Technical College is committed to providing a safe and secure environment in which all Gateway community members can come together to pursue their studies and other individual and group activities. The use of surveillance systems provides an effective tool for the college to address misconduct as well as serve as a deterrent to potential misconduct or criminal activities. In addition, the system provides assistance in any subsequent investigations should an incident occur that warrants further investigation.
2. Keeping in mind the college's statutory and educational mandates, the purpose of this policy is to articulate and regulate the use of the surveillance systems to better facilitate the safety and security of all Gateway community members.
3. The college is keenly aware of the privacy and academic issues that arise through the use of such a system. The utilization of the security video system is limited to the official operations of the District.

### PROCEDURE

1. The system will be monitored by security personnel during campus operating hours.
2. The ability to access historical files of the system for Gateway Technical College purposes will be restricted to the security staff, the Director of Security and the CFO. Any requests to review such information, will need to be coordinated with the Director of Security.
3. This policy does not apply to cameras used for academic or testing purposes.
4. Signage will be placed and maintained at the entrances to each campus stating, "This campus may be under 24 hour live and recorded video and audio surveillance".
5. Personnel are prohibited from using or disseminating information acquired from security systems except for official purposes. All information and/or observations made in the use of the security systems are considered confidential and can only be used for official college and law enforcement business upon the approval of the Director of Security.
6. All recording or monitoring of activities of individuals or groups by security systems will be conducted in a manner consistent with college policies and state and federal laws, and will never be based on the subjects' personal characteristics, including age, gender, ethnicity, sexual orientation, disability, or other protected characteristics. Furthermore, all recording or monitoring will be conducted in a professional, ethical, and legal manner.

### USE OF VIDEO/AUDIO RECORDINGS

1. Video/audio recordings of students, staff, or others may be reviewed or audited for the purpose of determining adherence to Gateway Technical College policies, Student Code of Conduct and/or related policies.
2. The college may use video/audio surveillance to detect, deter, or investigate criminal offenses or violations of college policy.
3. Video/audio recordings may be released to third parties for the purpose of investigating Gateway related incidents with proper approval from the Director of Security or the CFO and inline with current laws/regulations.
4. Video/audio recording may be released to law enforcement for investigative purposes upon the approval of the Director of Security or the CFO.
5. The college, its administrators, or designees, may use video/audio surveillance and the resulting records for inquiries and proceedings related to law enforcement, criminal/policy violation investigations, deterrence, or staff and student discipline.
6. The college shall not use video/audio monitoring for other purposes unless expressly authorized by the college president, or designee, or by another Gateway Technical College Policy.



# E-135 Safety and Security Systems

Gateway Technical College  
All Employees  
Created: January 17, 2025





## E-137 UNMANNED AERIAL SYSTEMS (UAS) AKA DRONES

### POLICY

Unmanned Aerial Systems (UAS) aka **Drones** are the unmanned aircraft and all of the associated support equipment, control station, data links, telemetry, communications and navigation equipment, etc., necessary to operate a drone, acquire data from a drone, and to process the data acquired from a drone. *Unmanned aircraft* means an aircraft operated without the possibility of direct human intervention from within or on the aircraft.

The operation of drones is regulated by the Federal Aviation Administration (FAA). Gateway Technical College must comply with 14 CFR Part 107, FAA requirements, state law(s), state regulation(s) and any locally applicable laws or regulations regarding drones.

All operators and operations of drones on Gateway Technical College property or by Gateway Technical College staff shall meet all requirements and restrictions as outlined in the afore referenced laws and regulations along with the following additional requirements outlined herewith in the following Procedures section of this Policy.

It is the operator's responsibility for risk mitigation in the operation of drones as outlined in this Policy. However, Gateway Technical College reserves the right to deny any proposed drone operations on its property or by its staff if it feels that the operator either is violating this policy or does not provide sufficient risk mitigation for the proposed operation.

Fines or damages incurred by individuals or divisions that do not reasonably comply with this policy will not be paid by Gateway Technical College or Districts Mutual Insurance and will be the responsibility of those persons involved.

### PROCEDURES

1. Each individual drone and all instructors/operators using drones will be required to meet any and all current Federal, State, Local, Wisconsin Technical College System and Gateway Technical College policies, procedures, regulations/permits for the operation of drones.
  - a. Individual Instructor/Operator drone certifications/training verification and compliance must be on file in Gateway Technical College's Human Resource Department one month prior to the start of utilizing drones under this policy.
  - b. All drones used for classroom activity must weigh less than 55 pounds including payload.
2. Use of drones other than in an approved course is not permitted on Gateway Technical College property without a completed and fully executed **Gateway Technical College Drone (Unmanned Aircraft Systems – UAS) Operation Permit Request Form for Individuals / Entities Not Affiliated with Gateway Technical College**, approved by the Director of Security.
  - a. Applications for a **Gateway Technical College Drone (Unmanned Aircraft Systems – UAS) Operation Permit Request Form for Individuals / Entities Not Affiliated with Gateway Technical College** are available at



[Unmanned Aircraft System Request Form](#) and must be submitted at least 30 days in advance of the planned event to the Director of Security and the Risk Management Coordinator.

3. Instructor(s) must notify the Director of Security in writing at least seven days before commencement of flights in order to fly Gateway Drones off campus. Date/time/location/number of students and duration of scheduled flights need to be included in the documentation.
4. In addition to all requirements outlined above, the following conditions must be met to obtain Gateway Technical College permission for Drone Operations in order to be covered under Gateway Technical College's Casualty Policy
  - a. All drones must be operated in a curriculum/instructional related activity supporting the educational class.
  - b. All images and data collected during the operations of the drone shall be:
    - 1) the sole property of Gateway Technical College
    - 2) used only by college employees and students of that class and only for educational purposes related to that class.
    - 3) stored on a secure server designated by the college and maintained by college personnel.
    - 4) permanently deleted at the end of the semester unless necessary for future educational purposes.
    - 5) acquired in accordance with a reasonable expectation of privacy based on accepted social norms and the Gateway Technical College student handbook.
  - c. No images or data will be intentionally collected with the intent to monitor sensitive institutional or personal information that is not directly related to stated classroom activities.
  - d. Personal Protective Equipment (PPE)
    - 1) All students and instructors are required to wear reflective safety vests and hard hats during drone operations.
    - 2) All students and instructors who will potentially be handling the drone during operations shall wear eye protection and cut-resistant gloves.
  - e. All Instructors shall have required certification and training to operate and instruct drone operations, including but not limited to FAA Part 107 remote pilot certification.
5. Flight/Maintenance logs are required for every Gateway Technical College drone over 0.55 pounds. Students and instructors are required to maintain individual operational flight and maintenance logs. Flight/Maintenance and operational entries are required to be submitted within 24 hours after conclusion of drone operations for the day.
  - a. Every individual drone must obtain initial operational approval from the Director of Security and the CFO prior to the drone's use. The approval can be revoked by the Director of Security or CFO at any time.
  - b. **Only drones owned by Gateway Technical College** will be permitted to be used in coursework and laboratory settings.
6. Any waivers to this policy must be approved by the Director of Security or CFO.

Adopted: August 6, 2018





## E-140 MEDIA/PUBLIC RELATIONS RESPONSE

### POLICY

The media has the right to come on campus and question employees and students about a potential news story. However, they do not have the right to enter into or disrupt a potential crime scene. It is the responsibility of college employees to protect this area until police have secured the area.

### PROCEDURE

College employees are advised to immediately direct all media inquiries to Marketing & Communications. **Refrain from discussing information with the media yourself.** Phone numbers include director Marketing & Communications (564-3092) and media specialist (564-2512).

1. All official communications with the media is initiated through the president, the vice president of Government and Community Relations, or Marketing and Communications. All employees and students are advised that it is their right to speak or not to speak to media representatives as they choose. They should not feel intimidated into commenting on an incident they may have witnessed.
2. Under crisis circumstances on a Gateway Technical College Campus, the Marketing & Communications department will work closely with law enforcement, legal counsel, medical personnel, college administration and other relevant individuals to gather all necessary information to speak appropriately with the media.
3. Students should also be advised that anything they say to a reporter is “on-the-record” and may appear in print or broadcast.
4. An instructor may give these messages to his/her class, or an instructor may call the Marketing & Communications department to speak to a class or individual students.

Adopted: October 14, 2009  
Supersedes: January 2001





**District Buildings and Facilities Use  
E-150**

## **POLICY**

The primary use of Gateway Technical College buildings and facilities is for educational programs and services for members of the Gateway community. This policy governs the use of all facilities owned and/or operated by Gateway, including the advanced technology centers. Anyone wishing to use District buildings and facilities must conform to this policy. Gateway reserves the right to deny use of its buildings and facilities if programming unreasonably interferes with Gateway's educational services and normal business operations.

Requests for the use of District buildings and facilities shall be made to Gateway's Academic Operations Division scheduling specialists at [roomscheduling@gtc.edu](mailto:roomscheduling@gtc.edu) or by calling (262) 564-2618. Gateway prioritizes the use of buildings and facilities for organizations or groups that intend to provide educational programs and services for members of the Gateway community. In reviewing such requests, the scheduling specialists shall consider the requesting organization's intended use of the building or facility. Accordingly, they will consider and approve requests to use buildings and facilities based upon the following list of priorities in descending order:

- A. Gateway educational programs, services, or support activities;
- B. Gateway staff and student organizations;
- C. Educational institutions, community organizations, and agencies (nonprofit);
- D. Businesses and industries, etc. for educational purposes (for profit); and
- E. Organized groups for non-educational meetings.

## **PROCEDURE**

### **1. Educational Programs, Services, and Support Activities**

An educational program, service, or support activity shall be defined as an event whose primary purpose is to convey information to and among participants for their education. Events whose primary purpose is to inform participants about a product or service in order to sell that product or service are not considered educational under this policy.

Gateway educational programs, services, and support activities shall have the highest priority and must be accommodated before any consideration is given for other use of Gateway buildings and facilities.

### **2. Gateway Staff and Student Organizations**

Gateway staff and student organizations may use the buildings and facilities for related educational or social events. Collective bargaining groups representing Gateway employees may use the facilities provided prior approval has been obtained from the president (or the president's designee). No charge will be assessed when the



**District Buildings and Facilities Use  
E-150**

scheduled activity is held during the regular school day. When staff or student organization activities are held on weekends or extend beyond the regular school day, custodial costs may be assessed at the discretion of the Associate Vice President, Facilities and Security (or designee).

**3. Educational Institutions, Community Organizations, Governmental Agencies, and Other Nonprofit Agencies**

Educational institutions, community organizations, governmental agencies, and other nonprofit agencies which are not associated with the Gateway community may use Gateway's buildings and facilities for educational programs and services that are primarily for members of the Gateway community. Educational institutions may use the facilities when Gateway requests programming or when activities are co-sponsored with Gateway. Programming that directly competes with Gateway's educational offerings may not be permitted.

When multiple educational institutions request use of Gateway facilities for similar programming, requests will be prioritized as follows:

- A. Accredited institutions will receive preference over non-accredited institutions.
- B. Degree-granting programs will receive preference over individual courses or seminars.
- C. Institutions that articulate credits with Gateway will receive preference over those who do not; higher priority will be given to institutions that accept larger numbers of Gateway credits.

Educational institutions requesting to run programming on a long-term basis (greater than one (1) semester) must make separate contractual arrangements with Gateway to operate as on-campus learning centers.

Facilities may be made available to community organizations, governmental agencies, and other nonprofit agencies at no charge if their events are scheduled during regular operating hours and if the organization does not charge a fee for participants attending the event. If hours extend beyond regular operating hours, custodial fees will be charged. Educational institutions using facilities will be charged rates that coincide with Gateway agreements.

Any community organization, governmental agency or other nonprofit agency which charges a fee or admission charge will be subject to the fee schedule for profit organizations.

**4. Businesses, Industries, and Other For-Profit Organizations**

Businesses, industries, and other for-profit organizations may use District buildings and facilities for educational programs and services that are for members of the Gateway





District Buildings and Facilities Use  
E-150

community and do not interfere with Gateway's educational services and normal business operations. Allowable activities are corporate educational training seminars for employees or the general public or organizations charging an admission fee to attend the activity.

### **5. Other Organized Groups and/or Individuals Requesting Facilities Use**

Other organized groups and individuals requesting use of Gateway facilities may use buildings and facilities for non-educational meetings that are held for group members only and not the general public. The approval of a contract for any group to hold a closed meeting for its members shall not represent an endorsement by Gateway of the group's purpose, activities, statements, or points of view. Private social events such as parties, weddings, receptions, reunions, and dances which are not affiliated with the Gateway community are not permitted.

## **RECURRING EVENTS**

Recurring events may not be scheduled over a period longer than ninety (90) days, after which time the organizer must contact the College's Room Scheduling Office to make new arrangements.

## **FEES**

Fees for use of Gateway District buildings and facilities are published annually in the District Fee Schedule, which can be found [here](#). Specialized facility charges are in order for banquets, fairs, expos, fundraising events, and similar events. Additional fees are charged when the college provides AV equipment, staging, backdrops, plants, and other meeting supplies and equipment, as specified in the District Fee Schedule. Additional fees may be charged at the discretion of the CFO (or their designee) for clean-up of facilities beyond normal daily maintenance and for any damage caused by the event.

## **RESERVATIONS AND ROOM ASSIGNMENTS**

All requests for use of Gateway buildings and/or facilities should be directed to and scheduled by the Academic Operations Division and scheduling specialists at [roomscheduling@gtc.edu](mailto:roomscheduling@gtc.edu) or by calling (262) 564-2618. For all requests other than those falling under the categories Gateway educational programs, services, or support activities and Gateway staff and student activities, a completed "Contract for Use of Gateway Property" and a floor plan for specialized seating/set up will be required fifteen (15) working days prior to an event. By signing the Contract, the user accepts responsibility for all activities, actions, and outcomes related to the event, including but not limited to facility, property, employees, participants, and attendees. Gateway reserves the right to relocate an event within its facilities based on pre-registration attendance numbers.





**District Buildings and Facilities Use  
E-150**

For all fairs, expos, and similar events hosted at Gateway, Gateway will be provided booth space at no cost.

All requests for use of District buildings and facilities are subject to all pertinent policies and general regulations of the Gateway District Board. Infractions of such rules or policies established may cause a cancellation or denial of subsequent requests.

Fees for use of Gateway District buildings and facilities are published annually in the District Fee Schedule. See

<https://www.gtc.edu/about-gateway/campus-centers/gateway-facilities-rentals>.

1. Specialized facility charges are in order for fairs, expos, banquets, fundraising events, and so forth.
2. Additional fees are charged when the College provides AV equipment, staging, backdrops, plants, and other meeting supplies and equipment, as specified in the fee schedule.
3. Additional fees may be charged at the discretion of the Associate Vice President, Facilities and Security for clean-up of facilities beyond normal daily maintenance and for any damage caused by the event.

## **CANCELLATIONS**

Any event canceled by the organizer less than 48 hours prior to the event may be assessed custodial set-up charges. Gateway reserves the right to move/cancel any agreement ten (10) calendar days prior to an event. In the event of an emergency, the college may cancel a reservation with less than ten (10) days' notice.

## **USE OF TOBACCO, ALCOHOL, AND OTHER ITEMS**

All Gateway campuses have been designated as tobacco-free environments. (See Policy E-155, Tobacco Free/Smoke Free Policy).

Only beer/wine/wine coolers will be allowed with written request to the President (or designee) fifteen (15) working days before an event. A copy of the requesting organization's liquor license must accompany the request. A licensed bartender, whose name must be provided, is also required. Security will be provided by Gateway and charged to the event organizer.

Use of tape, nails, thumb tacks, pins, or staples on walls for displaying signs, banners, or related materials of any sort is prohibited.

***For additional details regarding the restrictions Gateway has placed on the use of District buildings and facilities, including commercial speech and certain special-use facilities, see Administrative Policies H-171 (Free Speech and Public Assembly) and H-170 (Distribution, Posting and Display Tables).***





## E-150 District Buildings and Facilities

Gateway Technical College  
All Employees  
Created: January 17, 2025

### District Buildings and Facilities Use E-150





## E-150a DISTRICT BUILDINGS AND FACILITIES EVENTS PROCEDURES FOR EXTERNAL AND INTERNAL USERS AND PARTICIPANTS

### POLICY

The primary use of Gateway District buildings and facilities is for educational programs and services for District residents. Please refer to Policy E-150.

This policy governs the use of all facilities owned and operated by Gateway Technical College. Any internal or external user requesting district facilities or wishing to solicit, canvas, vend, promote or advertise on campus will be bound by the conditions outlined in this document. Anyone using District Facilities must observe all applicable city, state and federal laws as well as Gateway Technical College's District Building and Facilities policy and procedure, E-150. This policy provides allowance for the Gateway Technical College to control access to College properties without disrupting the College's mission.

**The Administration Procedure in E-150A – Events Procedures for External and Internal Users and Participants is applicable to events held on all Gateway Technical College owned or leased facilities**

### PROCEDURES

#### Contract for Use of Gateway Facility

- All academic and non-academic related events/activities utilizing Gateway Technical College facilities shall be scheduled by the Academic Operations Division and scheduling specialists.
- All external requests for facility use shall be submitted utilizing Gateway Technical College's Contract for Use of Gateway Facility form.
  - Requests in person or by any other manner than the Contract for Use of Gateway Facility form may not be honored.
  - By signing the Contract for Use of Gateway Facility, the user accepts responsibility for all activities, actions and outcomes related to the event including, but not limited to, facility, property, employee, participant and attendees.
- Gateway Technical College reserves the right to terminate any Contract for Use of Gateway Facility while in use, suspend any activity or expel any person associated with an event from the campus if the event/activity presents a danger to participants, the facility or poses an additional risk to the College.
- Gateway Technical College reserve the right to approve, deny and/or modify the logistics of an event to best suit the needs and limitations of the College.



- User(s) of Gateway Facility Responsibilities:
  - User(s) agree(s) to indemnify, defend and hold harmless Gateway Technical College, its officers, directors, employees and agents, against and from any and all expenses, costs, damages, claims and liabilities whole or in part, by the intentional or negligent act or omission of user or any individual employed by or agents of the user in the course of the performance of duties and obligations under this agreement. The indemnification obligations of the parties hereto pursuant to this section shall continue in full force and effect notwithstanding the expiration or termination of this agreement with respect to any such expenses, costs, damages, claims and liabilities which arise out of or are attributable to the performance of this agreement prior to its expiration or termination during the use of the College facilities.
  - External users are responsible for all licensing rights for music, dramatic performances or movies. Internal users are responsible for license agreements for all movie showings and dramatic performances. Gateway Technical College events are covered under the College's music licensing agreements with ASCAP, BMI and SESAC only for the performance or playback of music.
  - External users must be in full compliance with Title VI and VII of the 1964 Civil Rights Act and Title IX of the 1972 Amendments stating that no person shall be discriminated against on the basis of sex, race, color, religion, national origin, or handicap.
  - Cancellation
    - During inclement weather, public emergencies, or acts of God, Gateway Technical College may close regardless of any scheduled events. Users will not be charged a cancellation or rental fee under these circumstances.
    - If Gateway Technical College remains open during inclement weather, public emergencies, or acts of God, it is the responsibility of the user to decide whether to continue as planned or cancel event/activity.
    - If the user cancels under these circumstances, Gateway Technical College may assess charges for labor and any resources procured for the purpose of the event.
    - Gateway Technical College shall not be liable for any losses the user suffers due to inclement weather, public emergencies or acts of God.





## **Gateway Technical College-Sponsored and Community-Sponsored Events/Activities**

- Gateway Technical College reserve the right to approve, deny and/or modify the logistics of an event/activity to best suit the needs and limitations of the College.
  - These may include but are not limited to the following types of events/activities:
    - Hosted by student clubs
    - Field trips
    - Divisional or departmental
    - Student government
    - Community (hosted or sponsored by Gateway Technical College or Gateway Technical College professional associations)
    - Exhibitors
    - Drives
    - Competitions
    - Professional (association, business, educational and government-sponsored)
- Gateway Technical College reserves the right to terminate any event/activity, suspend any activity or expel any person associated with an event from the campus if the event/activity presents a danger to participants, the facility or poses an additional risk to the College.
- High Risk Event/Activity - Participant Requirements:
  - Examples of a high risk events/activities includes activities involving slides, bouncy houses, dunk tanks, horse and carriage rides, petting zoo, and tree climbing activities.
  - All participants must provide a fully executed Participant Release, Waiver or Liability and Hold Harmless Agreement form for each high risk event/activity in which they participate prior to participation in the event/activity.
  - Participant Release, Waiver or Liability and Hold Harmless Agreement will be available for completion by each participant prior to the event/activity and/or at the location of the high risk event/activity.
  - Participants who refuse to complete and submit a Participant Release, Waiver of Liability and Hold Harmless Agreement relative to the indicated event/activity may not be allowed to participant in the activity/event. For possible future reference, any participant's refusal to complete the Participant Release, Waiver of Liability and Hold Harmless Agreement (as required) will be noted.



- Completed Participant Release, Waiver or Liability and Hold Harmless Agreement forms must be kept (in electronic format) by the division sponsoring the event/activity for a minimum of three (3) years from the date of participation.
- Vendor Requirements:
  - All vendors or providers participating in Gateway Technical College-sponsored or community-sponsored events/activities and soliciting, vending, promoting, selling combustible product(s) and/or high risk activities, e.g., petting zoo, tree climbing, horse and carriage rides, inflated bounce or slide attractions, etc., are required to sign and return a Vendor Acknowledgement of Risks/Acceptance of Responsibility Form for each event in which they participate two weeks prior to the commencement of the event.
  - Completed Vendor Acceptance of Risks and Responsibility Agreement Release of Liability forms must be kept (in electronic format) by the division sponsoring the event/activity for a minimum of three (3) years from the date of participation.
- High Risk Event/Activity - Vendor Insurance Requirements:
  - High risk vendors, e. g., providers of activities involving slides, bouncy houses, dunk tanks, horse and carriage rides, petting zoo, tree climbing activities must provide a certificate of insurance as indicated below.
  - Vendor will provide a **Certificate of Insurance (COI) indicating Gateway Technical College as an additional insured on their liability policy with minimum coverages as indicated below**. The certificate of insurance (COI) should indicate the date(s) of the event for which coverage is provided.
    - Vendor will furnish Gateway Technical College with a certificate of insurance two week (14 days) prior to event.
    - Vendor will give ten (10) days advanced written notice of cancellation or non-renewal during the term of this event/activity
  - **Insurance.** Vendor will, during the terms of this event/activity, keep in force and effect product liability, comprehensive general, auto liability and worker's compensation insurance policies issued by a company (ies) authorized to do business in the State of Wisconsin with general liability coverage provided for the amounts as indicated:
    - COMMERCIAL GENERAL LIABILITY
      - Insuring against bodily injury, property damage, personal injury and advertising injury product, completed operations, and contractual liability



- \$1,000,000 each occurrence
- **COMPREHENSIVE AUTOMOBILE LIABILITY**
  - \$1,000,000 each accident
  - Coverage shall apply to "any auto", owned, hired, or non-owned
- **WORKERS' COMPENSATION**
  - Must carry coverage for Statutory Worker's Compensation and Employers Liability limit of:
    - \$100,000 Each Accident
    - \$500,000 Disease Policy Limit
    - \$100,000 Disease – Each Employee
    - Must include coverage for occupational disease, sickness, and death
    - Must include Broad Form All States Endorsement/other states endorsement
- **ADDITIONAL REQUIREMENTS**
  - Must include: Premises and Operations Liability
  - Must include: Explosion, Collapse and Underground Coverage
  - Must include: Broad Form Blanket Contractual
  - Must include: Product and Completed Operations Coverage
- In the event any action, suit, or other proceeding is brought against Gateway Technical College in connection with this event/activity, or upon any matter herein indemnified against, Gateway Technical College will cooperate with Vendor's attorneys in the defense of the action, suit or other proceeding. In addition, all agents will be bonded.
- Vendor is responsible for the actions of its employees.



## E-152 ENERGY POLICY

### POLICY

As stewards of the human and natural environment on our campuses and beyond, Gateway Technical College is committed to operating its facilities in an environmentally responsible, sustainable manner.

### PROCEDURE

1. We will actively promote and invest in:
  - a. Conservation of energy, including electricity, natural gas, and motor fuels.
  - b. Use of alternative energy sources.
  - c. Conservation of Water
  - d. Reuse and Recycling
  - e. Responsible selection and use of cleaning and other chemicals.
  - f. A high level of indoor air quality.
  - g. Sustainable Purchasing
  - h. Foster the development of a culture of sustainability among Gateway employees and students.
2. Emphasize energy efficiency as a factor in daily operations, facility design, improvements and equipment acquisition.
  - a. Construction for new buildings and additions should include U.S. Green Building Council's LEED Silver standard or equivalent.
  - b. When energy consuming equipment is replaced, it should be replaced with Energy Star equipment or, if the equipment comes from a class that is not reviewed by the Energy Star program, Gateway Technical College shall purchase the highest energy efficient models. Gateway purchasing will check with Focus on Energy and WE Energies for possible rebates or recommendations prior to purchasing any major energy consuming equipment.
3. Support further development and deployment of "green" and sustainable initiatives within the District's infrastructure and academic programs.
4. Gateway buildings environment will be maintained in accordance with the State of Wisconsin Energy Use Policy per Executive Order #132 dated November 2006.
  - a. The college-wide thermostat setting for offices and classrooms will be 68-70 degrees F heating (as are all state buildings) / 75 degrees F cooling. Exceptions can be made by the appropriate Director-Facilities for classes that simply cannot function at the specified temperature, i.e. nursing labs where subjects may be disrobed or where equipment requirements for temperature or humidity dictate otherwise.
  - b. Personal space heaters are not permitted. Deficiencies in the building heating system will be assessed by the Director-Facilities and addressed as part of the building heating system.
  - c. Turn off lights, computers, printers when not in use.





## E-155 TOBACCO-FREE / SMOKE-FREE POLICY

### SCOPE

This policy is applicable and extends coverage to all Gateway Technical College Campuses, Centers, and grounds with no exceptions at any time (24/7). A tobacco-free / smoke-free workplace will increase quality of life for employees, decrease absenteeism, and saves on other health-related personnel costs. This policy applies to all devices including electronic cigarettes, e-cigarettes, or personal vaporizers that are alternatives to smoking tobacco products.

### PURPOSE

To provide a tobacco-free / smoke-free environment for our staff, customers, and the general public, thereby fostering our wellness image. To communicate Gateway's commitment to providing a healthy tobacco-free / smoke-free work environment for current employees and to establish parameters for those employees who choose to continue to smoke. Tobacco / smoking use is the major preventable cause of premature death today, killing one-third to one-half million Americans annually. Non-smokers can also be harmed by the hazards of second-hand smoke. These adverse effects range from immediate reactions (eye irritation, headaches, and allergies) to long-term serious illness. Non-smokers exposed to environmental tobacco smoke include an elevated risk of lung cancer or other disabling respiratory disease, and they also face a higher incidence of cardiovascular disease. Stringent workplace smoking restrictions are rapidly gaining favor in both the public and private sectors.

### POLICY

1. Gateway Technical College is strongly committed to maintaining and improving the health and well-being of all employees and customers. It is, therefore, Gateway's policy that employees have the right to work in an environment free of the hazards of tobacco smoke.
2. To protect the health of our employees and customers, the following policy will be in effect as of August 1, 2007. This will eliminate an unnecessary potential hazard from our workplace and we will support all employees in choosing a healthful, non-tobacco use / non-smoking way of life.
  - a. Use of tobacco and smoking is prohibited on all Gateway Campuses, which includes but is not limited to the following:
    - 1) All buildings, grounds, sidewalks, streets, parking lots, and structures.
    - 2) All Gateway owned and leased vehicles.
    - 3) All personal vehicles on Gateway property.

### PROVISION

This policy is one of the most important steps that Gateway Technical College can take to safeguard the health of our employees and customers, for health-related issues and the escalating cost of health care remain a key priority on Gateway's agenda.

### ENFORCEMENT

Failure to comply with this policy will be dealt with through the college's disciplinary procedures. Students, staff, visitors, and tenants who breach the policy will be asked to stop smoking and will be asked to leave the premises if they fail to comply with this request. All breaches of this policy will be recorded in writing.



## **E-160 PRIVATE SECTOR LEASE OF DISTRICT PROPERTY AND FACILITIES**

### **POLICY**

In order to further the educational purposes of Gateway Technical College, there are a number of circumstances under which Gateway may consider leasing property, or otherwise making District facilities available to the private sector. While such arrangements may be used to make services available to Gateway, it is necessary to follow appropriate procedures to ensure that any proposal observes minimum standards regarding appropriate relations with the private sector.

### **PROCEDURE**

1. Any proposal by Gateway to lease District facilities to another party or parties for school purposes shall be approved by the State Board. Lease proposals shall be provisionally approved in a District Board action at a public meeting and submitted to the State Board for review and action at least forty-five (45) days prior to the State Board meeting at which the proposal will be presented.
2. Any proposal by Gateway to lease land to another party or parties on which a building will be constructed for school purposes shall be approved by the State Board. Lease proposals shall be provisionally approved in a District Board action at a public meeting and submitted to the State Board for review and action at least forty-five (45) days prior to the Board meeting at which the proposal will be presented.
3. Gateway may lease out land upon which a building is to be constructed if any future acquisition of the building by the District will not expose the District to an expenditure exceeding \$1,500,000, excluding gifts, grants, or federal funds. Referendum requirements under Section 38.15(5) do not apply to buildings acquired as a result of the lease of lands to others for school purposes if there is no cash expenditure. If a building is acquired as a result of a lease, the value of that building will be counted against the District's \$1,500,000 limit for a two (2) year period commencing two (2) years from the date of acquisition.
4. Prior to Gateway entering into a contract or agreement which would permit private sector use of District property or facilities, whether or not the lease or contract could result in the acquisition of a facility by the District, such an agreement or contract must:
  - a. Be provisionally approved in a District Board action at a public meeting;
  - b. Be submitted to the state agency forty-five (45) days prior to the meeting of the State Board at which the proposal will be reviewed;
  - c. Receive the prior approval of the State Board.
5. The State Board will consider how the contract and total project meet the criteria listed below when reviewing any proposed contracts or agreements. State Staff will, as the basis of their recommendations to the Board, make determinations in regard to each of the items. These criteria are intended to apply to the leasing of land, or otherwise making District property or facilities available to private parties, and to all circumstances in which there is the possibility of facilities being acquired by the District through a contractual arrangement.
  - a. Any proposed private sector activity or facility is directly related to the educational purposes of the institution;
  - b. There has been a review of available alternative means of providing the proposed services and the contract or agreement represents the best alternative;





- c. All responsible interested parties have been given an opportunity to bid to provide the services;
- d. Public funds are not directly or indirectly subsidizing profit-making ventures;
- e. Services are primarily, if not exclusively, for District staff and students;
- f. The interests of the institution are protected.



## E-180 PRINT SHOP

### **POLICY**

The Print Shop operates to support and serve the instructional and administrative functions of Gateway Technical College. The following administrative procedures exist to ensure that the print shop operates in the most productive and efficient manner to support the mission of the College.

### **PROCEDURE**

1. All work done by the Print Shop, including layout, printing and collating, will be directly related to college activities or approved job for a non-profit organization which shares the mission of the college. Work for outside organizations, unrelated to Gateway is prohibited.
2. Jobs will be submitted to the Print Shop allowing for a reasonable time for completion. Jobs requiring extensive layout and design require at least ten (10) days lead time. One-page projects such as flyers, posters, etc. require three (3) to five (5) days lead time and add two (2) additional days for delivery.
3. Work orders to the Print Shop are considered final. Any changes after submission will incur additional charges.
4. When design is an order component, proof copies will be sent to the initiator. The initiator will respond back to the Print Shop with any changes/corrections as soon as possible so as not to delay the project.
5. A Printing/Duplicating Request form must be submitted with the order and include the general ledger number(s) to charge the printing cost. Work orders without account numbers may be delayed or rejected.

Adopted: October 12, 2009  
Supersedes: October 19, 1998  
Reaffirmed &/or Updated: January 2001





## E-190 HOT WORK PERMITS AND LOCKOUT PROCEDURES

### HOT WORK PERMITS

1. A Hot Work Permit program is an effective management tool used to supervise and control the potential ignition hazard associated with cutting, welding or other "hot work." Hot work is defined as any temporary activity that produces sparks, heat or flame. Examples of hot work include welding, cutting, grinding, soldering, brazing, torch applied roofing, etc.
2. Hot work should be avoided if at all possible and safer methods should be considered, for example: utilizing bolts to attached metal parts together instead of welding, or manually cutting with a hand saw instead of using a cutting torch. If hot work cannot be avoided, try to conduct hot work operations outdoors and away from any combustible materials.
3. If hot work must be conducted indoors (classrooms), it should be properly managed using a permit program. Hot Work Permits should be required for any hot work operations performed by anyone at the site for (employees, contractors or students) for non-instructional hot work activities.
4. The safety supervisor on each campus or center will identify all instructional laboratories that typically engage in hot work activities as a normal part of the instructional program. Permits shall not be required when hot work is taking place as part of the instructional process in a lab designated for that purpose by the safety supervisor and performed under the direct supervision of a qualified instructor. The qualified instruction shall act in all respects as the Fire Watch during instruction-related hot work.
5. Trained personnel should be assigned the following responsibilities:
  - a. **Safety Supervisor or Permit Authorizing Individual (PAI)**
    - 1) Is a Gateway employee (not a contractor)
    - 2) Has overall responsibility for proper implementation of the Hot Work Permit Program
    - 3) Issues Hot Work Permits
  - b. **Fire Watch**
    - 1) Ensures safe conditions are maintained during hot work operations
    - 2) Has the authority to stop the hot work operation if unsafe conditions develop
    - 3) Has a fire extinguisher readily available and is trained in its use
    - 4) Is familiar with the facility and procedures for sounding an alarm in the event of a fire
  - c. **Hot Work Operator**
    - 1) Is properly trained on the use of hot work equipment
    - 2) Verifies hot work equipment is in good operating condition
    - 3) Obtains a signed Hot Work Permit from the Safety Supervisor prior to the start of any hot work

### HOT WORK PERMIT PROCEDURES

1. The Hot Work Operator requests a Hot Work Permit from Safety Supervisor.
2. Prior to beginning any hot work activity, the work area should be carefully inspected by the Safety Supervisor using the permit checklist (see below) to verify all recommended precautions are being followed as applicable. The Safety Supervisor checks off each applicable precaution and records the date and time the permit expires.

**Note: All Hot Work Permits shall expire within a single shift or eight hours, whichever is less. If work continues beyond this time frame, a new permit shall be issued.**





## a. Hot Work Permit Checklist

- 1) The hot work equipment to be used shall be in satisfactory operating condition and in good repair.
- 2) Where combustible materials, such as paper clippings, wood shavings, or textile fibers, are on the floor, the floor shall be swept clean for a radius of 11 m (35 ft) and the following criteria also shall be met:
  - a) Combustible floors (except wood on concrete) shall be kept wet, covered with damp sand, or protected by noncombustible or fire-retardant shields.
  - b) Where floors have been wet down, personnel operating arc welding equipment or cutting equipment shall be protected from possible shock.
- 3) All combustibles shall be relocated at least 11 m (35 ft) in all directions from the work site and the following criteria also shall be met:
  - a) If relocation is impractical, combustibles shall be protected with fire-retardant covers or otherwise shielded with metal or fire-retardant guards or curtains.
  - b) The edges of covers at the floor shall be tight to prevent the entrance of sparks, including at the point at which several covers overlap where a large pile is being protected.
- 4) Openings or cracks in walls, floors, or ducts within 11 m (35 ft) of the site shall be tightly covered with fire-retardant or noncombustible material to prevent the passage of sparks to adjacent areas.
- 5) Ducts and conveyor systems that might carry sparks to distant combustibles shall be shielded, or shut down, or both.
- 6) If hot work is done near walls, partitions, ceilings, or roofs of combustible construction, fire-retardant shields or guards shall be provided to prevent ignition.
- 7) If hot work is done on one side of a wall, partition, ceiling, or roof, one of the following criteria shall be met:
  - a) Precautions shall be taken to prevent ignition of combustibles on the other side by relocating the combustibles.
  - b) If it is impractical to relocate combustibles, a fire watch shall be provided on the side opposite from where the work is being performed.
- 8) Hot work shall not be attempted on a partition, wall, ceiling, or roof that has a combustible covering or insulation, or on walls or partitions of combustible sandwich-type panel construction.
- 9) Hot work that is performed on pipes or other metal that is in contact with combustible walls, partitions, ceilings, roofs, or other combustibles, shall not be undertaken if the work is close enough to cause ignition by conduction.
- 10) Fully charged and operable fire extinguishers that are appropriate for the type of possible fire shall be available immediately at the work area.
- 11) If existing hose lines are located within the hot work area defined by the permit, they shall be connected and ready for service but shall not be required to be unrolled or charged.
- 12) The following shall apply to hot work done in close proximity to a sprinkler head:
  - a) A wet rag shall be laid over the sprinkler head and then removed at the conclusion of the welding or cutting operation.
  - b) During hot work, special precautions shall be taken to avoid accidental operation of automatic fire detection or suppression systems (e.g., special extinguishing systems or sprinklers).
- 13) Nearby personnel shall be suitably protected against dangers such as heat, sparks, and slag.





3. Upon satisfactory inspection of the work area, the Safety Supervisor issues a signed permit to the Hot Work Operator. The Safety supervisor assigns a person to be the designated Fire Watch. The Hot Work Operator and Fire Watch sign the permit indicating the precautions on the checklist have been taken and permission is authorized to perform the work.  
**Note: The Fire Watch should have a fire extinguisher on hand and know how to use it in event of a fire. The Fire Watch has the responsibility to stop the hot work if any precautions are not being followed (e.g. combustibles are moved within 35 feet of the work area, etc.).**
4. The Safety Supervisor retains Part A of the permit as a reminder of the work being done. Part B of the permit should be displayed in the hot work area until the job is complete (including fire watch).
5. The Fire Watch should be provided during and for **at least 30 minutes** after the work is completed. The Safety Supervisor may decide that the fire watch time should be extended beyond 30 minutes based on the potential for a smoldering fire (e.g. work on roofs, areas where combustibles cannot be relocated, etc.).
6. Upon completion of the fire watch, Part B of the permit is returned to the Safety Supervisor. The Safety Supervisor should complete final inspection of the work area to ensure it is safe and complete a final sign-off on Part B.
7. The completed Hot Work Permits should be maintained on file for at least one year for review.

## WHERE TO OBTAIN HOT WORK PERMITS

1. Hot Work Permits can be obtained by the Safety Supervisor through Allianz Risk Consultants at:
  - E-mail: [fyihotline@aic-allianz.com](mailto:fyihotline@aic-allianz.com)
  - Phone: Toll-free (800) ARC-1193
  - Direct: (818) 260-7337
  - Fax: (818) 260-7137
2. The following information should be included in your request for Hot Work Permits:
  - Name
  - Phone number
  - Name of company and mailing address
  - Number of Hot Work Permits needed
  - *Sources: Allianz Risk Consultants and NFPA Code 51B*

## LOCKOUT PROCEDURES

### 1. Purpose

This procedure establishes the minimum requirements for the lockout of energy isolating devices whenever maintenance or servicing is done on machines or equipment. It shall be used to ensure that the machine or equipment is stopped, isolated from all potentially hazardous energy sources and locked out before employees perform any servicing or maintenance where the unexpected energization or start-up of the machine or equipment or release of stored energy could cause injury.



## 2. Compliance with this Program

All employees are required to comply with the restrictions and limitations imposed upon them during the use of lockout. The authorized employees are required to perform the lockout in accordance with this procedure. All employees, upon observing a machine or piece of equipment which is locked out to perform servicing or maintenance shall not attempt to start, energize, or use that machine or equipment.

## 3. Sequence of Lockout

- a. Notify all affected employees that servicing or maintenance is required on a machine or equipment and that the machine or equipment must be shut down and locked out to perform the servicing or maintenance.
- b. The authorized employee shall refer to the company procedure to identify the type and magnitude of the energy that the machine or equipment utilizes, shall understand the hazards of the energy, and shall know the methods to control the energy.
- c. If the machine or equipment is operating, shut it down by the normal stopping procedure (depress the stop button, open switch, close valve, etc.).
- d. De-activate the energy isolating device(s) so that the machine or equipment is isolated from the energy source(s).
- e. Lock out the energy isolating device(s) with assigned individual lock(s).
- f. Stored or residual energy (such as that in capacitors, springs, elevated machine members, rotating flywheels, hydraulic systems, and air, gas, steam, or water pressure, etc.) must be dissipated or restrained by methods such as grounding, repositioning, blocking, bleeding down, etc.
- g. Ensure that the equipment is disconnected from the energy source(s) by first checking that no personnel are exposed, then verify the isolation of the equipment by operating the push button or other normal operating control(s) or by testing to make certain the equipment will not operate. **Caution: Return operating control(s) to neutral or "off" position after verifying the isolation of the equipment.**
- h. The machine or equipment is now locked out.

## 4. "Restoring Equipment to Service." When the servicing or maintenance is completed and the machine or equipment is ready to return to normal operating condition, the following steps shall be taken.

- a. Check the machine or equipment and the immediate area around the machine to ensure that nonessential items have been removed and that the machine or equipment components are operationally intact.
- b. Check the work area to ensure that all employees have been safely positioned or removed from the area.
- c. Verify that the controls are in neutral.
- d. Remove the lockout devices and re-energize the machine or equipment. Note: The removal of some forms of blocking may require re-energization of the machine before safe removal.
- e. Notify affected employees that the servicing or maintenance is completed and the machine or equipment is ready for used.



## E-200 DISPOSAL OF COLLEGE PROPERTY

### POLICY

The policy of Gateway Technical College is to dispose of surplus or obsolete equipment, materials, and supplies no longer needed by the District in a cost-effective manner. Disposal of college property will be the responsibility of the campus facilities manager. The manager may assign a designee to facilitate the process.

### DEFINITIONS

1. **Excess equipment** shall be defined as equipment, other than expendable supplies, having a remaining useful life, but which are no longer required by a department or by the District.
2. **Obsolete equipment** shall be defined as any item in working or usable condition but is no longer planned for use by the District.
3. **Non-repairable Equipment** shall be defined as any item whose cost of repair exceeds 50% of its value.
4. **Scrap** shall be defined as material that has no value except its basic metallic, mineral, or organic content.

### PROCEDURE

1. A value will be placed upon the equipment to be disposed by the campus facilities manager or designee responsible for the equipment. If the evaluation is delegated, the campus facilities manager is responsible for the evaluation and if an item is intentionally valued less than its real worth, the campus facilities manager along with staff involved will be held accountable.
2. If no value or minimal value is placed on the item, the campus facilities manager, subject to the paragraph above, is authorized to dispose of the equipment.
3. Equipment with an individual estimated value of \$25,000 or more must be submitted to the Wisconsin Technical College System (WTCS) state office for approval prior to disposal.
4. Property such as federal equipment for which the Gateway District does not have clear title shall be returned to the appropriate source.
5. The department dean shall contact the purchasing technician, grants accounting manager, to determine if the equipment or material(s) being disposed of are donated, or grant funded and shall comply with any regulations that are applicable.
6. All departmental/divisional disposal procedures must be in accordance with policy E-200.
7. It is acknowledged that items not needed at one campus might be desired at another. Disposal procedures must include a time frame for communicating across the District that facilitates re-use and/or re-purposing of equipment.
8. Any employee who disposes of college property improperly will be considered for disciplinary procedures up to and including termination.
9. Form EDF-200 shall be completed for all equipment disposal, transfers, and trade-ins.

### METHODS OF DISPOSAL

The following are methods of disposing of excess/obsolete fixed assets. The campus dean, campus facilities manager or designee shall direct the sale of excess equipment. The Purchasing department, under the supervision of the CFO/VP of Finance & Administration is responsible for ensuring compliance with the procedures and oversight of the disposal process and for supplying documentation of any disposal transaction to the purchasing department for proper recording of such transaction in the college's fixed asset records.



## 1. **Direct Sales to Best Offer or Bid**

The excess/obsolete item(s) may be sold on the open market by a direct sale or an invitation to bid. If beneficial, the sale may be advertised. The direct sale would be awarded to the best offer based on an established fair market value. The bid would be awarded to the highest complying bidder. The controller will be responsible for collecting and reporting the sales tax once the sale is final. Proceeds from the sale of any equipment will be deposited into the appropriate account by the business office.

## 2. **Transfer of Ownership**

- a. If any department does not need the item or the cost of disposal is greater than its value, ownership of the equipment may be transferred to another government agency or to an appropriate charitable non-profit organization for a nominal transfer fee.
- b. Property transfers must be authorized by an officer of the college (president or vice president).
- c. The transferred items are considered "AS-IS" and without technical support.
- d. In the interest of information security, all college computer hard drives along with data storage components associated with credit card information/transactions will be destroyed using a combination of degaussing and/or physical shredding.

## 3. **Disposal of Scrap with Salvage Value**

Item(s) that are damaged, broken, not cost-effective to repair, may be salvaged for parts, or may be disposed of in an appropriate manner.

Whenever possible, a recycling vendor should be utilized for disposal of such items as computer, telephone equipment, etc. Because of our constant concern for the environment, when appropriate, recycling will be the primary method of scrap disposal.

Adopted: June 15, 2015 (Responsible LID Department)

Supersedes: October 20, 2014,- September 22, 2014; August 12, 2013 (formerly Policy C-100; moved to appropriate location in manual & renumbered); March 17, 2008; January 22, 2007; August 27, 2001; July 1, 1997

Reaffirmed &/or Updated: September 17, 2009



## F-100 PUBLIC RECORDS AND PROPERTY

### POLICY

Gateway Technical College believes that it is in the best interest of the District, its employees, and the general public to provide the greatest possible access to information regarding the affairs of the District and the official actions of the Gateway District Board, its officers and employees.

### PROCEDURE

1. The Gateway District staff will comply with the requirements of the Wisconsin Public Records Law, Chapter 19, Sections 19.31 - 19.39 of the Wisconsin Statutes, relating to the assignment of the official legal custodian of the records and property, their release, inspection and reproduction.
2. A fee may be assessed for the cost of locating the record(s) depending upon the time personnel are involved in the search to locate the record(s). The official legal custodian will notify the requestor of any fees associated with fulfilling the request prior to fulfilling the request, to ensure the requestor is aware of the fees. The custodian will obtain the requestor's written agreement to the fees prior to fulfilling the request. Fees for reproduction are separate from the charge of locating record(s) and vary in cost depending upon the availability and type of equipment used to reproduce the record(s). A Notice and Public Records and Property Fee Schedule is available for public view at [gtc.edu/about-gateway/our-college/release-public-records](http://gtc.edu/about-gateway/our-college/release-public-records).
3. All requests for release, inspection or reproduction of any public records or property shall be directed to the official legal custodian, assistant to the president.

Adopted: December 20, 2010  
Supersedes: July 15, 2002, October 19, 1989





## **F-100a NOTICE**

### **THE DISTRICT IS SUBJECT TO THE WISCONSIN PUBLIC RECORDS LAW. THE FOLLOWING INFORMATION IS PROVIDED TO THE PUBLIC TO ASSIST THEM IN OBTAINING ACCESS TO THE RECORDS OF THE DISTRICT.**

The executive assistants to the president are designated as the official legal custodians of the records and property of the District. The name of the individual presently holding this position can be obtained by contacting the District Office which is located at the following address:

Gateway Technical College  
Inspire Center / President's Office  
3520 - 30th Avenue  
Kenosha, WI 53144-1690  
(262) 564-3018 or (262) 564-3614

Upon proper request, public records of the District may be made available for inspection at the office of the official legal custodians during designated business hours, which are 9:00 a.m. to Noon and 1:00 p.m. to 3:00 p.m., Monday through Friday. No original public records of the District shall be removed from the possession of the legal custodian. The official legal custodian shall be responsible for designating where, when, and how the public records of the District may be inspected and copied. The decisions of the official custodians of the records shall be made in compliance with the Public Records Law and this Notice.

### **POLICY**

The policy of the District regarding the release, inspection and/or reproduction of public records is as follows:

1. After the receipt of any request for access to the public records of the District, the official legal custodian will attempt to make such records available as soon thereafter as practical. The custodian shall attempt to provide an initial response to every request within five (5) working days. However, in some circumstances, given the nature of the request, other pending requests or other factors, it may not be possible to fulfill the request in that time frame.
2. If the official legal custodian determines that portions of any records requested contain information which should not be released, the custodian will edit such records to remove the material not to be released and thereafter release the balance of the document.
3. Any requests for computer records of the District will be referred to the Chief Information Officer to determine the cost of any computer search, printing charges, and availability of personnel and computer resources to conduct such a search. Computer information will not be provided until the person requesting the information is informed of the estimated costs, and in those situations, has made an initial payment towards such costs.
4. It is not necessary that any person requesting access to the records of the District identify himself or herself in order to obtain a record, nor need any person requesting access to the records of the District state any reason for request.
5. Any request for a record must reasonably describe the record or information sought. If the official legal custodian cannot reasonably determine what records or information are being requested, the request shall be denied in writing and the reason for the denial shall be stated in the written denial.
6. Any person shall not have only the right to inspect the records of the District, but also the right to receive a reproduction of such records. In the event that a person files a written request for reproduction of any of the records of the District, that person shall be informed of the costs of locating and reproducing such records. Fees charged by the District relative to the costs of producing any of the records of the District are listed in the PUBLIC RECORDS AND PROPERTY FEE SCHEDULE (see schedule below).





7. Any questions in regard to this Notice shall be directed to the official legal custodians of the records of the District.
8. This Notice may be modified from time to time, but absent such modification, the decisions of the official legal custodians of the records of the District shall be in conformity with its provisions.
9. Copies of the Notice hereby adopted shall be prominently displayed in appropriate locations throughout the District and a copy of the Notice shall be made available to any member of the public upon a request for inspection or reproduction.

## **GATEWAY TECHNICAL COLLEGE PUBLIC RECORDS AND PROPERTY FEE SCHEDULE**

### **COSTS OF LOCATING RECORDS**

1. Most of the Gateway District's records are readily available, or can be located in any relatively short period of time. Some of these records are located in off-site storage, archives, not in the computer data base, or otherwise not immediately available.
2. There will be no locating fee imposed upon any person requesting record(s), if the costs of locating that record(s) does not exceed fifty dollars (\$50). For searches exceeding fifty dollars (\$50), a charge will be assessed for employees involved in the attempt to locate the record(s) not to exceed the actual, necessary, and direct cost of location.
3. When the estimated location costs exceed fifty dollars (\$50), the legal custodian will notify the requestor of any fees associated with fulfilling the request prior to fulfilling the request, to ensure the requestor is aware of the fees. The custodian will obtain the requestor's written agreement to the fees prior to fulfilling the request.

### **COST OF COPYING OR REPRODUCTION**

Fees for reproduction are separate from the cost of locating records.

1. Costs of copying or reproduction of records where and when equipment is available.
  - a. Twenty-five (25) cents for the first page and ten (10) cents for each additional page.
  - b. The actual cost to the District of the tapes or other medium used for reproduction shall also be paid by the requestor.
2. Cost of copying or reproduction of records where and when equipment is not available within the District:
  - a. If equipment necessary for any reproduction is not available within the District, then the District will arrange for the reproduction. The cost charges will be the actual costs paid by the District to the third party vendor.
  - b. Items in such a situation would include but would not be limited to audio or video tape reproduction equipment, microfilm or fiche or ultra-fiche reproduction equipment and various computer hardware and software.
  - c. The actual cost to the District of the tape or other medium used for reproduction shall be paid by the requestor.

### **DISPUTES**

The official legal custodian of the records of the District shall report any disputes which arise under this fee schedule to the Gateway District Board and shall recommend to the Gateway District Board such modifications and revisions as deemed necessary.

### **PAYMENT OF FEES**

The official legal custodian of the records of the District will require the payment of costs provided herein in advance in cash.

Adopted: December 20, 2010 (responsible department: President's Office)

Supersedes: March 15, 2005, July 15, 2002

Reaffirmed &/or Updated: August 2014



## H-100 OPEN DOOR COMMUNICATIONS

### **POLICY**

The Open Door Communication policy is designed to benefit both employees and Gateway Technical College by fostering an environment where concerns and issues can be openly discussed and addressed. The College values open communication between employees and management to resolve misunderstandings, conflicts, or concerns before they negatively impact the employee or the college. Work-related issues will be handled promptly, fairly, and confidentially to a need to know basis. The Open Door Communication policy allows employees to bring their work-related concerns to management for assistance or resolution.

### **PROCEDURES**

1. Gateway Technical College expects supervisors to adopt the Open Door Communication philosophy, resolving work-related concerns with empathy and fairness without discrimination.
2. Employees are encouraged to first approach their direct supervisor when facing challenges. Often, a conversation can clear up most issues.
3. If the issue remains unresolved, the employee may escalate the matter to their appropriate vice president.
4. At any point, the employee may also seek guidance or support from the Talent and Culture department.
5. The College encourages employees to address concerns promptly and assures that no retaliation will occur for seeking resolution.

### **NOTE:**

While the Open Door Communication policy may lead employees to bring personal issues to management, supervisors should proceed with caution in such instances. They should direct employees to Talent and Culture for appropriate assistance if personal matters are impacting their work.





## VISITOR CODE OF CONDUCT

### POLICY

Gateway Technical College ("Gateway or the College") welcomes visitors to enjoy its campuses, services, and programs. The Visitors Code of Conduct is designed to promote and preserve a safe and welcoming environment for everyone.

### SCOPE AND DEFINITIONS

Definitions for the purpose of this policy:

"College community" includes trustees, students, and all employees of the College as well as independent contractors or other third parties under contract with the College.

"College facilities" includes any campus building and structure.

"College premises" includes any building or grounds owned, leased, operated, controlled, or used by the College.

"Student" means an individual who is registered at the College in a credit or non-credit course or courses, who has either paid or made arrangements for payment of tuition and/or fees.

"Visitors" means persons who are not members of the College community who are on College premises.

This policy applies to any visitor on College premises.

### VISITORS ON GATEWAY CAMPUSES

Visitors are allowed access to College premises available to the public, during normal business hours and in accordance with Gateway policy governing the use of such facilities. Visitors are allowed access to College facilities to access services that are designated as open to the public, such as the library and cafe, and are allowed to attend activities on the College campus in the designated buildings or areas when such attendance is permitted by the sponsoring organization or by Gateway.

### RIGHTS AND RESPONSIBILITIES OF VISITORS

1. Visitors have the right to freedom of speech, assembly, advocacy, and inquiry.
2. Visitors are welcome on College premises during regular business hours.
3. Visitors are expected to conduct themselves in such a manner as not to interfere with the educational process at the College and respect the rights of others.



4. Visitors are expected to obey all applicable College policies and federal and state laws while on College premises. Prohibited conduct includes, but is not limited to, threats, harassment, physical or disorderly altercations, engaging in behavior that poses serious danger to the health and safety of members of the College community, and unauthorized entry into or damage to Gateway property.
5. Visitors should be prepared to identify themselves and the purpose of their visit when asked by College Security or other staff members.

## VISITORS WITH CHILDREN/MINORS

Gateway welcomes children at many of its programs and events. Children who are under the age 16 who are visitors must be under direct supervision of an adult while on campus.

## GATEWAY'S RESPONSE TO VIOLATIONS OF THE VISITOR CODE OF CONDUCT

**VERBAL WARNING:** Gateway's approach to most policy violations is to issue a verbal warning to remind visitors of behavioral expectations. When a visitor's behavior doesn't respond to verbal instruction, the visitor will be escorted from College premises or the College-sponsored activity and issued a Letter of No Trespass, either in person or sent to their home address, depending on the circumstances, by the Campus Dean or Security Personnel. A copy of the Letter of No Trespass will also be sent to the appropriate law enforcement agency.

**LETTER OF NO TRESPASS:** The Letter of No Trespass is issued for a specific period of time or on an ongoing basis and may prohibit the visitor from engaging in certain conduct, restrict access to some or all College premises, and/or restrict participation in some or all of the College's programs or activities. The written order will include an explanation of the basis for the order. The decision whether to issue a warning or order will depend on all relevant circumstances surrounding the incident, including but not limited to the following factors: involvement of individuals under the age of 18; any prior offenses or warnings; and/or ongoing safety risks.

Gateway reserves the right to take criminal and/or civil action against a visitor for misconduct where appropriate and necessary. Any employee who has reasonable cause to believe that a child under the age of 18 who they've seen in the course of their duties at the College has been abused or neglected or threatened with abuse or neglect must report such situations.

## APPEAL

Any visitor may appeal a No Trespass order by application to the appeal officer listed below.

An ongoing no-trespass order shall be subject to automatic review by the appeal officer who shall deliver the results of the review in writing to the respondent within 30 calendar days. Campus Security will maintain a written record of warnings, which may be considered in responding to any future offenses.



## APPEALS PROCESS

- a. The respondent may request the modification or rescission of the trespass order by providing the following in writing: a description of any modification requested; the rationale for modifying or rescinding the order; and current contact information.
- b. Appeals should be directed to the appeals officer, Director of Security, Gateway Technical College, 3520 30<sup>th</sup> Ave., Kenosha, WI 53144, burtonc@gtc.edu.
- c. The rationale for modifying or rescinding the order should include steps taken by the respondent to address the safety risk to individuals or property and to ensure adherence to Gateway Technical College policy and local, federal, and state laws.

## APPEALS OUTCOME

- a. That appeal officer shall determine whether to rescind the warning (and all associated records) or the trespass order based on a consideration of ongoing safety risks to individuals or property, and shall deliver its decision in writing to the individual or to the parents or guardians, if the individual is a minor, within 30 days.
- b. In addition, warnings and trespass orders issued to individuals who are under the age of 18 may be rescinded as follows: Parents or guardians of recipients of warnings or trespass orders who are under the age of 18 may request a meeting with the appeal officer described below.

Exceptions to this policy require written approval from the Director of Security and/or a Dean of Campus Affairs.

***For additional details relating to visitors in classrooms, please see Administrative Policy J-160.***

***For additional details relating to the reasonable restrictions Gateway has placed on the distribution and posting of printed materials and the use of display tables on Gateway property, please see Administrative Policy H-170.***

***For additional details regarding the restrictions Gateway has placed on the use of District buildings and facilities, including commercial speech and certain special-use facilities, see Administrative Policies H-171 (Free Speech and Public Assembly) and H-170 (Distribution, Posting and Display Tables).***



### H-102 CHILDREN IN THE WORKPLACE

#### **POLICY**

Children and minors are not permitted on campus unless they are visiting under their parent or guardian's immediate supervision or participating as part of a supervised group or program. It is not appropriate, for safety and security reasons, for children and minors to be unsupervised on campus at other times.

#### **PROCEDURE**

1. In rare instances, and only with the supervisor's advance approval, employees may be permitted to bring a child/children into the workplace on a temporary or emergency basis. In these instances the arrangement must be mutually beneficial to both the employee and the department. When this occurs, it is the employee's responsibility to provide appropriate care and supervision of the child or minor at all times and to ensure that consideration is given to others in the work environment.
2. If an employee has concerns about children in the workplace, he or she should contact his or her immediate supervisor or Talent and Culture.

Adopted: December 19, 2011  
Supersedes: 01/29/24 edited HR to Talent and Culture



## H-105 EMERGENCY RESPONSE PLAN

### **POLICY**

Gateway Technical College is committed to providing our staff, students and visitors the safest environment possible. The college will establish and maintain a set Emergency Response Plans and Procedures, which will outline response practices that facilitate the college's ability to mitigate, prepare, respond and recover to/from incidents that effect the daily operation and safety of the institution and the college community. In addition, the procedures will provide response strategies and guidelines for our staff, students and visitors to reference in the event of an emergency.

### **APPLICATION OF THE EMERGENCY RESPONSE PLAN**

This policy applies to all students, employees, contractors and visitors of the college while on college property or while participating in a college sponsored event.

### **PROCEDURE**

The Director of Security and the CFO/Vice President of Finance and Administration will be responsible for the oversight of the Emergency Response Plans and Procedures. Oversight duties include:

1. Maintenance of the plans and updating as required.
  - a. Correct identification of persons identified in the plan
  - b. Maintenance of contact information
2. Assurance of the plan to the current best practices of the National Incident Management System (NIMS).
3. Assisting college departments with the development of business continuity plans.
4. Organizing and ensuring the readiness of the college's emergency operations center (EOC).
5. Publishing of Emergency Response Procedures to the college community.
6. Organization of emergency response exercises and drills.
  - a. Minimum of one (1) annually
  - b. Tabletop, Drill, Functional or Full Scale
7. Conduct incident/exercise reviews and make changes to the plans or procedures as needed.
8. Conduct an annual review of the plan with the Executive Leadership Council.
9. Maintain a record of training and emergency response drills.





## H-106 CLERY ACT COMPLIANCE

Gateway Technical College is committed to promoting the safety and security of the campus community and providing an open, accessible environment conducive for learning and working for our students, faculty, staff and guests. The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (Clery Act) is a federal law applicable to all universities and colleges in the country that sets forth requirements for reporting and collecting data about certain crimes as well as promoting safety on campus. The college shall comply with the requirements of the Clery Act, and this policy is intended to guide the members of Gateway Technical College concerning the duties and/or responsibilities they may have with regard to the Clery Act.

This policy will be reviewed at least annually to take into account changes in applicable law and developments in best practices.

### CLERY CRIME STATISTICS

The following is a list of crimes that must be included in the Annual Security Report:

1. Murder and Non-negligent Manslaughter is the willful (non-negligent) killing of one human being by another.
2. Manslaughter by Negligence is the killing of another person through gross negligence.
3. Rape is 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 consent of the victim. This offense includes the rape of both males and females.
4. Fondling is 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.
5. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
6. Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.
7. Robbery is 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.
8. Aggravated Assault is 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.
9. Burglary is the unlawful entry of a structure to commit a felony or theft.
10. Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.
11. Arson is 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.
12. Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported: Race, Religion, Sexual Orientation, Gender Identity, Ethnicity, National Origin, and Disability. Hate crimes include any of the following offenses that are motivated by bias: Murder and Non-negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny-Theft\*, Simple Assault\*\*, Intimidation, and Destruction/Damage/Vandalism of Property\*\*\*.





\*Larceny-Theft is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.

\*\*Simple Assault is an unlawful attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

\*\*\*Damage/Damage/Vandalism of Property is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of.

**13. 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. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition. Dating violence includes, but is 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.

**14. Domestic Violence** is defined as a felony or misdemeanor crime 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 or by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner or 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 of violence occurred.

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

## CLERY GEOGRAPHY

Crimes as described above need to be reported as crime statistics if they occur (1) on campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that the institution owns or controls.

**On-Campus:** 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. This includes any building or property that is within or reasonably contiguous to the area identified above that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Areas Listed as On-Campus for the Kenosha Campus:

1. Academic Building
1. Madrigrano Conference Center & Storage Building
2. Administration Building
3. Inspire Center
4. Pike Creek Center & Storage Building
5. Head House
6. Sustainable Living Center
7. Sim City, all associated buildings (Law Enforcement Training Location)



8. Storage Garage (Behind Technical Wing)
9. Tower Shed
10. Gateway East - 3535 30th Avenue - except suites 101,102,103
11. All associated parking lots and greenspace (includes walking trail behind Sustainable Living Center)

Areas Listed as On-Campus for the Racine Campus:

1. Lincoln Center for Health Careers
2. Lake Building
3. Technical Building
4. Racine Building
5. All associated parking lots and greenspace (includes Park by Lincoln Building)

Areas Listed as On-Campus for the Elkhorn Campus:

1. North Building
2. South Building
3. Alternative High School
4. Veterinary Sciences Building
5. Storage Garage
6. All associated parking lots and greenspace (includes walking trail behind campus)

Areas Listed as On-Campus for the Burlington Campus\*:

1. Burlington Center
2. HERO Center
3. All associated parking lots

Areas Listed as On-Campus for the Horizon Center "Campus"\*:

1. Horizon Center and associated parking lots
2. Emergency Vehicle Operations and Control (EVOC) track

Areas Listed as On-Campus for the SC Johnson iMET Center "Campus"\*:

1. SC Johnson iMET Center and associated parking lots
- \*NOTE:** These buildings are listed as separate campuses because the Clery Act definition requires them to be considered separate campuses due to full-time administrators being present at these locations.

**Non-Campus Buildings or Property:** Any building or property owned or controlled by a student organization that is officially recognized by the institution or any building or property owned or controlled by an institution that issued 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.

Areas Listed as Non-Campus Buildings or Property for the Racine Campus:

1. Racine Workforce Development Center Leased Space (1717 Taylor Ave, Racine, WI)
2. All associated parking lots

Areas Listed as Non-Campus Buildings or Property for the Kenosha Campus:

3. Kenosha County Job Center Leased Space (8600 Sheridan Road)
4. LakeView Advanced Technology Center (9499 88<sup>th</sup> Avenue, Pleasant





Prairie, WI)

5. Burn Building (Hwy 11, Kansasville, WI)
6. All associated parking lots

Areas Listed as Non-Campus Buildings or Property for the Burlington Campus:

1. The Cut Barber Studio (425 Milwaukee Ave, Burlington, WI)

Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

Any questions concerning if an area is considered as part of Gateway Technical College's Clery Geography should be directed to the Director Of Compliance.

## **CLERY CRIME REPORTING**

Collecting reports, classifying crimes, and keeping track of counting crimes is the responsibility of the Director of Compliance. Campus Security Authorities (CSAs) must file any incidents they deem credible in Maxient and/or contact a member of the Security team immediately. CSAs must immediately report crimes so that they can be assessed for issuing a Timely Warning Notification as referenced in the policy.

At Gateway Technical College, the following persons are the officials identified as Campus Security Authorities. These are individuals and offices with significant responsibility for student and campus activities and therefore have specific crime reporting obligations under the Clery Act:

1. Members of the Campus Security Team
2. Dean, Campus Affairs (for Elkhorn, Burlington, Kenosha, Racine and iMet)
3. Program Deans/Assistant Deans/Program Chairs
4. President/CEO
5. Provost
6. Assistant Provost
7. Members of the Executive Leadership Committee
8. Dean of Learning Success
9. Risk Manager
10. Director, Employee and Labor Relations
11. Student Services Center Director(s)
12. Director of Compliance/Title IX Coordinator
13. Student Life Coordinators
14. Individuals designated to receive complaints or reports of actions or activities that violate policy or law such as the Affirmative Action Officer and the Title IX Coordinator.
15. Advisors to student organizations/clubs
16. College staff that travel with student organizations/clubs
17. Any college official that has significant responsibility for student and campus activities

Student Support Counselors operating within the scope of their duties are not normally considered CSAs. In addition, members of the faculty or support staff are not considered CSAs, unless they would for example organize or help lead a student trip. If an individual has any questions or concerns about if they are a CSA or not, they should contact the Director of Compliance or the CFO.





The Director of Compliance or designee will maintain a list of all identified CSAs on Gateway Technical College and will update at least annually. In addition, CSAs will be trained annually on their roles and responsibilities. The Director of Compliance or CFO will coordinate and document all training.

## **ANNUAL SECURITY REPORT**

The Director of Compliance or designee is responsible for compilation, preparation, and dissemination of the Annual Security Report, which is required to be posted by October 1st. The report will be sent to all current students and employees using the Gateway Technical College email system. In addition, a link to the document will be posted on the Gateway Technical College website. Hard copies of the report will be made available upon request.

## **DAILY CRIME LOG**

The Daily Crime Log will be maintained by the Director of Compliance and updated as necessary. A minimum of 60 days of information will be displayed on the Daily Crime Log.

The Daily Crime Log will be available at the following locations:

- Kenosha Campus: Security Office
- Racine Campus: Security Office
- Elkhorn Campus: Security Office
- Burlington Campus: Center Administrator's Associate Office
- Horizon Center: Front Desk
- SC Johnson iMET Center: Front Desk

## **CLERY DOCUMENT RETENTION/DESTRUCTION**

All records and reports, including but not limited to Maxient Incident Reports, Daily Crime Log, reports from CSAs, will be retained by the Director of Compliance for seven calendar years or as required by Wisconsin State Statute. Each year, the Director of Compliance will develop an annual compliance file that contains that year's relevant compliance documents. The records will be destroyed when no longer required by Clery Compliance and Wisconsin State Statutes.

This policy supersedes all previous policies.



## H-107 TIMELY WARNING AND EMERGENCY NOTIFICATIONS

### POLICY

Gateway Technical College is responsible for issuing Emergency Notifications and Timely Warning Notifications in compliance with the Higher Education Opportunity Act (HEOA) of 2008 and the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act), 20 U.S.C. 1092(f). The purpose of this policy is to set forth the procedures by which the college shall provide an emergency notification or timely warning notification to the Gateway community in the event that a significant emergency or dangerous situation is reported to the college that poses an immediate, imminent, or impending threat; or a crime is reported to the college that constitutes a serious or continuing threat.

In the event that a confirmed situation comes to the attention of the college and is considered to meet the criteria of a Timely Warning Notice or Emergency Notification, the Director of Safety and Security or designee will issue the message per the guidelines stated in this policy using any and/or all means deemed necessary to ensure the proper dissemination of the message.

Timely Warning Notifications and Emergency Notifications are intended to serve all members of the college community. College employees and students should recognize that persons away from their telephones and other communication devices, visitors, contractors working on site, and others who do not have access to college communication systems will not receive emergency messages. Therefore, persons receiving the messages should notify others in the vicinity and relay instructions as appropriate. Tour guides and special event sponsors are responsible for relating messages and instructions to those people they are hosting. Lastly, departments hosting contractors and other casual workers are responsible for relaying notifications and instructions to those personnel, as appropriate.

### DEFINITIONS

**Timely Warning Notifications:** Notice to all members of the campus community when a specific crime, as defined by the Clery Act, has occurred in the Clery Act reportable geography of the College, as defined by the Clery Act, and the crime represents a serious or continuing threat to members of the campus community.

Examples of crimes that may require a Timely Warning Notice:

- a. Murder/Non-Negligent Manslaughter
- b. Aggravated assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case by case basis to determine if the individual is believed to be an on-going threat to the community).
- c. Robbery involving force or violence (cases involving pick pocketing and purse snatching will typically not result in the issuance of a Campus Safety Alert, but will be assessed on a case by case basis).
- d. Arson
- e. Sex Offenses (considered on a case by case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known).
- f. Other crimes as determined necessary by the Director of Safety and Security, or designee.

**Emergency Notifications:** Notice to all members of the campus community of an emergency or dangerous situation that poses an immediate threat to the health or safety of students, employees,



or others on campus. Examples of emergency or life threatening situations that may require an emergency situation include, but are not limited to:

1. Active shooter situations/persons with dangerous weapons
2. Threats of violence
3. Fire and/or power outages
4. Weather related emergencies
5. Serious acts or threats to campus-owned or personal property
6. Bomb threats

Anyone with information they believe warrants a Timely Warning Notification or an Emergency Notification should report the situation to the college's security team:

- Director of Safety and Security: 262-564-2533
- Kenosha Security Office: 262-564-2208
- Racine Security Office: 262-619-6208
- Burlington Security Office: 262-767-5208
- Elkhorn Security Office: 262-741-8208

## **TIMELY WARNING NOTIFICATION PROCEDURE**

The warning should be issued as soon as the pertinent information is available because the intent of a Timely Warning Notification is to alert the campus community of continuing threats, thereby enabling community members to protect themselves. The issuing of a Timely Warning Notice must be decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the college community and the possible risk of compromising law enforcement efforts.

A timely warning notice will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts:

1. Date and time or time frame of the incident
2. A brief description of the incident
3. The location of the incident
4. Information that will promote safety and potentially aid in the prevention of similar crimes (crime prevention or safety tips).
5. Suspect description(s) when deemed appropriate and if there is sufficient detail (see below)
6. Police/Security contact information
7. Other information as deemed appropriate by the the Director of Safety and Security, or designee

**NOTE:** The institution will not withhold a basic description of the reported crime under the auspices of the risk of compromising law enforcement efforts. Specific details, such as the exact location, the specific date, etc. could be withheld if releasing that information may compromise law enforcement efforts (such as conducting an investigation, serving a warrant, or conducting an undercover operation, etc.).

The description of subjects in a case will only be included in the alert if there is a sufficient amount of detail to describe the individual. If the only known descriptors are sex and race, that will not be included in the alert. In addition, the alert will not include any information that could potentially lead to the identification of any potential victims.



The decision to draft and issue a Timely Warning Notification will be made by the Director of Safety and Security or designee. An attempt to consult with the CEO/President, CFO/VP of Finance and Administration or designee, and the Manager of Communications and Media Relations or designee will be made. If the CEO/President, CFO/VP of Finance and Administration or the Manager of Communications and Media Relations are unreachable the Director of Safety and Security may draft and issue the Timely Warning Notification without consultation.

The information may be disseminated to the college community via a variety of communication mediums. The college will use, but not limited to, one or more of the following means:

1. Email messages
2. AlertME messages to cell phones registered in the college's emergency alert service
3. AlertUS Beacons
4. Posting message on Website and social media platforms
5. Desktop Notification Message to college owned computers (with software feature)
6. Message posted to emergency notification line (1-800-353-3152)
7. Public announcements to media agencies (i.e. news and radio)
8. Postings and signs in highly visible locations throughout the college.

**The department does not issue a Timely Warning Notifications for the previously listed crimes if:**

1. Local Law Enforcement apprehends the subject(s) and the threat of imminent danger for members of the Gateway community has been mitigated by the apprehension.
2. A report was not filed with Local Law Enforcement, or a Campus Security Authority was not notified of the crime in a manner that would allow the department to post a timely warning for the community. A general guideline will include a report that is filed more than ten (10) days after the date of the reported incident may not allow Local Law Enforcement/Campus Security to post a timely warning to the community. This type of situation will be evaluated on a case by case basis.

Public Safety Advisories may be distributed for crimes (ex. a pattern of larcenies or vandalism cases) that do not rise to the level of causing a serious or continuing threat to the Gateway Community. In addition, they may be distributed for other safety concerns (mulch fires, etc).

The Safety and Security department also maintains a daily crime log which contains all crimes reported that occurred on or near the Gateway campus as defined by the Clery Act. The information is posted on Gateway's Web site and available at the campus security offices.

## **EMERGENCY NOTIFICATION PROCEDURE**

An Emergency Notification will be used when it is determined that there is a significant emergency or dangerous situation involving an immediate threat to the health and/or safety of the community occurring on campus. The notification may contain only the information that is reasonably necessary to promote the safety of the college community as dictated by the situation. A notification will be released as soon as reasonable, unless the notification will compromise efforts to assist a victim, or to contain, respond to, or otherwise mitigate the emergency. The Director of Safety and Security or designee, will work closely with first responders to make the determination on when it may be appropriate to delay the notification or not issue a notification for the reasons listed above.



The decision to draft and issue an Emergency Notification will be made by the Director of Safety and Security or designee. If the Director of Safety and Security is unavailable or unreachable the decision to draft and issue the Emergency Notification will be made by the CFO/VP of Finance and Administration or designee. The CFO/VP of Finance and Administration or designee will be responsible for notifying the CEO/President.

The information may be disseminated to the college community via a variety of communication mediums. The college will use, but not limited to, one or more of the following means:

1. Email messages
2. AlertME messages to cell phones registered in the college's emergency alert service
3. AlertUS Beacons
4. Posting message on Website and social media platforms
5. Desktop Notification Message to college owned computers (with software feature)
6. Message posted to emergency notification line (1-800-353-3152)
7. Public announcements to media agencies (i.e. news and radio)
8. Postings and signs in highly visible locations throughout the college.

Unlike a Timely Warning Notification which must be sent district wide, an Emergency Notification may be segmented to a specific group of individuals or a designated building/area. If an Emergency Notification is issued, there is no need to issue a Timely Warning Notification for the same circumstance. Once the situation no longer poses a threat, an "all clear" message will be transmitted to the college community utilizing the same methods used for dispersal of the notice.



**H-110: Equal Opportunity, Civil Rights, and Sexual Harassment**

October 11, 2024, based on the 2020 Title IX Regulations

**1. Office for Equal Opportunity and Civil Rights**

The Office for Equal Opportunity and Civil Rights (synonymous with “Gateway” throughout this policy) is comprised of the Director of Compliance, who serves as the Title IX & ADA Coordinator and Affirmative Action Officer, and the Vice President of Diversity, Equity, and Inclusion, who serves as the Equal Opportunity Officer. The Equal Opportunity Officer’s primary role is to provide review and final approval of investigation reports, excluding those related to Title IX Sexual Harassment, that are completed by the Director of Compliance/Title IX Coordinator. The Director of Compliance is primarily responsible for managing the day-to-day operations of the Office and addressing discrimination complaints (i.e. investigation and resolution), assuring compliance with applicable civil rights and employment laws, reviewing and approving investigation reports, and prevention training and education. The Director of Compliance has the primary responsibility for coordinating Gateway’s efforts related to investigation, resolution, and implementation of corrective measures and monitoring to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy. In addition, the Director of Compliance maintains the college’s equal opportunity and civil rights policies and procedures.

Additional Title IX/Civil Rights team members include:

- Jason Pruitt, Career and Employment Services Manager, serves as an investigator.
- Amanda Robillard, Manager of Customer Relationship Management (CRM) Technology, serves as an investigator and as the Deputy Title IX Coordinator. The Deputy Title IX Coordinator fulfills the role of the Title IX Coordinator when the Title IX Coordinator is unavailable or designates such responsibilities.
- Jomarie Coloriano, Director of Inclusive Excellence, serves as a bilingual investigator.

The Director of Compliance, Equal Opportunity Officer, and other members of the Title IX/Civil Rights team act with independence and authority free of conflicts of interest and bias that impact the investigation or adjudication. The Director of Compliance oversees all resolutions under this policy and acts to ensure that all Institution representatives act with objectivity and impartiality and are assessed with respect to conflicts of interest and/or potential bias. When there is an identified conflict of interest, the conflicted individual will not make substantive decisions regarding the case and will delegate those decisions to another qualified member of the Title IX/Civil Rights team. To raise any concern involving a conflict of interest or bias by the Equal Opportunity Officer or Director of Compliance, contact the President of the college, Ritu Raju at [rajur@gtc.edu](mailto:rajur@gtc.edu) or, to raise a concern



involving a conflict of interest or bias about any other member of the Title IX team, contact the Director of Compliance.

Allegations of violations of policy, or inquiries about or concerns regarding this policy and procedure, may be made internally to:

Josh Vollendorf, MS, MSE, PHR  
Director of Compliance | ADA & Title IX Coordinator  
Office for Equal Opportunity and Civil Rights  
1001 S. Main St, Racine, WI 53403  
[compliance@gtc.edu](mailto:compliance@gtc.edu), 262-564-3062

## 2. Glossary

These terms are used in policies H-110, H-120, and H-130.

**Advisor** means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.

**Complainant** means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected characteristic; or retaliation for engaging in a protected activity.

**Complaint** (formal) means a document submitted or signed by a Complainant or signed by the Director of Compliance/Title IX Coordinator alleging harassment or discrimination based on a protected characteristic or retaliation for engaging in a protected activity against a Respondent and requesting that Gateway investigate the allegation.

**Confidential Resource** means an employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).

**Day** means a business day when Gateway is in normal operation.

**Directly Related Evidence** is evidence connected to the complaint but is neither inculpatory (tending to prove a violation) nor exculpatory (tending to disprove a violation) and will not be relied upon by the investigation report.



**Decision-maker** means the person who hears evidence, determines relevance, and makes the final determination of whether this policy has been violated and/or assigns sanctions.

**Director of Compliance/Title IX Coordinator** are interchangeable titles that refer to one position that is designated by Gateway to ensure compliance with Title IX and other anti-discrimination laws and Gateway's Title IX & equal opportunity programs. References to the Coordinator or Director of Compliance throughout this policy may also encompass a designee of the Title IX Coordinator for specific tasks.

**Education program or activity** means locations, events, or circumstances where Gateway exercises substantial control over both the Respondent and the context in which the Sexual Harassment or discrimination occurs and also includes any building owned or controlled by a student organization that is officially recognized by Gateway.

**Equity Resolution Process** means a method of administrative resolution of discrimination and misconduct complaints that relate to protected class discrimination with the exception of cases that fall under 34 CFR §106.30 (all forms of Sexual Harassment).

**Final Determination** means a conclusion by the standard of proof that the alleged conduct did or did not violate policy.

**Finding** means a conclusion by the preponderance of evidence that the conduct did or did not occur as alleged (as in a "finding of fact").

**Formal Complaint** means a document submitted or signed by a Complainant or signed by the Title IX Coordinator alleging a Respondent engaged in Sexual Harassment or retaliation for engaging in a protected activity and requesting that Gateway investigate the allegation(s).

**Formal Grievance Process** refers to policy H-130: Title IX Grievance Procedure and is a method of formal resolution designated by Gateway reserved for Sexual Harassment claims, and which complies with the requirements of the Title IX Regulations (34 CFR §106.45) and the Violence Against Women Act § 304.

**Grievance Process Pool** includes any investigators, appeal officers, and Advisors who may perform any or all these roles (though not at the same time or with respect to the same case).



**Hearing Officer** refers to the person who has decision-making and sanctioning authority within Gateway's Formal Grievance process.

**Investigator** means the person or persons charged by Gateway with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence for Title IX Sexual Harassment cases. In non-Title IX Sexual Harassment cases, the investigator also completes a credibility assessment, finding of fact, conclusion, and makes recommendations for sanctions in all other cases.

**Mandated Reporter** means an employee of Gateway who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Director of Compliance/Title IX Coordinator.

**Notice** means that an employee, student, or third-party informs the Director of Compliance/Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.

**Official with Authority (OWA)** means an employee of Gateway explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of Gateway.

**Parties** means the Complainant(s) and Respondent(s), collectively.

**Relevant Evidence** means evidence that tends to prove (inculpatory) or disprove (exculpatory) an issue in the complaint.

**Remedies** are post-final determination actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to Gateway's education program.

**Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected characteristic; or retaliation for engaging in a protected activity under this policy.

**Resolution** means the result of an informal or formal grievance/resolution process. Sanction means a consequence imposed by Gateway on a Respondent who is found to have violated this policy.

**Sexual Harassment** is an umbrella category including the offenses of Sexual Harassment, sexual assault, stalking, and dating violence and domestic violence. See



Section 14(a) for greater detail. Sometimes the term sexual misconduct is used interchangeably with Sexual Harassment.

**Student** means any individual who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing relationship with Gateway.

**Title IX Team** refers to the Director of Compliance/Title IX Coordinator, any deputy coordinators, and any member of the Grievance Process Pool.

**Unwelcome**, though assessed in a variety of ways, generally refers to behavior that is not wanted, not welcome, and not reciprocated.

### 3. Scope of this Policy

Gateway Technical College (“Gateway” or the “College”) affirms its commitment to promote the goals of fairness and equity in all aspects of the educational enterprise. Gateway is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination, harassment, and retaliation. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational enterprise, Gateway has developed internal policies and procedures that will provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected status. Gateway values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in what is often a tough time for all those involved.

The core purpose of this policy is the prohibition of all forms of discrimination. Sometimes, discrimination involves exclusion from or different treatment in activities, such as admission, athletics, or employment. Other times, discrimination takes the form of harassment or, in the case of sex-based discrimination, can encompass Sexual Harassment, sexual assault, stalking, sexual exploitation, dating violence or domestic violence. When an alleged policy violation of this anti-discrimination policy is reported, the allegations are subject to resolution using H-130: Title IX Grievance Procedures for Title IX Sexual Harassment cases or H-120: Equity Resolution Procedure for non-Sexual Harassment cases, as determined by the Title IX Coordinator, and as detailed below.

When the Respondent is a member of the Gateway’s community, a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the Gateway community. This community includes, but is not limited to, students, student organizations, faculty, administrators, staff, and third parties such as



guests, visitors, volunteers, invitees, and campers. The procedures below may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy.

This policy applies to all allegations that occur from the date it went into effect. Allegations made prior to that date, regardless of when they are reported, are processed under the policy in effect at the time of the allegation and utilize the current resolution process applicable to the allegations.

#### **4. Policy on Non-Discrimination**

Gateway adheres to all federal and state civil rights laws and their implementing regulations prohibiting discrimination and in public institutions of higher education. These laws include, but are not limited to, Title IX of the Educational Amendments, Section 504 of the Rehabilitation Act, the Wisconsin Fair Employment Act, the Civil Rights Act of 1964, the Americans with Disabilities Act, Wisconsin Statute 106.56 (Postsecondary education: prohibition against discrimination on basis of physical condition or developmental disability), the Pregnancy Discrimination Act, Pregnant Workers Fairness Act, the PUMP Act, the Equal Pay Act of 1963, the nondiscrimination provision of the Immigration and Nationality Act, the Age Discrimination in Employment Act of 1967, the Uniformed Services Employment and Reemployment Rights Act of 1994, and the Genetic Information Nondiscrimination Act of 2008.

To provide equal employment, advancement, and learning opportunities to all individuals, employment and student admission decisions at Gateway will be based on merit, qualifications, and abilities. Gateway will not discriminate against any employee, applicant for employment, student or applicant for admission on the basis of race, color, national origin, ancestry, sex, sexual orientation, creed, religion, political affiliation, marital status, parental status, pregnancy, disability, age, membership in any reserve component of the armed forces, union affiliation, or any other protected category under applicable federal and state law, including, but not limited to, Title IX, Title VI/VII, and the Wisconsin Fair Employment Act, including protections for those opposing discrimination or participating in any resolution procedure on campus or within the Equal Employment Opportunity Commission or other human rights agencies.

As a recipient of federal financial assistance for education activities, Gateway is required by Title IX of the Education Amendments of 1972 to ensure that all of its education programs and activities do not discriminate on the basis of sex/gender. Sex includes biological sex, sex stereotypes, gender identity, gender expression, sexual orientation, and pregnancy and related conditions. Gateway also prohibits retaliation against any



person opposing discrimination or participating in any discrimination investigation or complaint process internal or external to the institution. Sex-based harassment, sexual assault, dating and domestic violence, and stalking are forms of sex discrimination and are prohibited under Title IX and by Gateway policy. Any member of the campus community, guest, or visitor who acts to deny, deprive, or limit the educational, employment, residential, or social access, opportunities and/or benefits of any member of the Gateway community on the basis of sex or any other protected class listed above is in violation of Gateway's policy on Equal Opportunity, Civil Rights, and Sex-based harassment. The above protected characteristics are governed by various state and federal laws. Application and governance of this policy relating to any of the above protected characteristics is governed in accord with the applicable law(s) governing the specific protected characteristic. For example, arrest and conviction record discrimination is prohibited by the Wisconsin Fair Employment Act (WFEA) and generally applies only to applicants for employment and employees.

This policy covers nondiscrimination in all aspects of employment and in access to educational programs and activities.

Students, staff, administrators, and faculty are entitled to a working environment and educational environment free of discriminatory harassment. Gateway's harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include relevant, but controversial or sensitive subject matters protected by academic freedom. When speech or conduct is protected by academic freedom and/or the First Amendment, it will not be considered a violation of Gateway policy, though remedies may be offered to those impacted. All policies encompass actual and/or attempted offenses.

## **Discriminatory Harassment**

Discriminatory harassment, defined as unwelcome conduct by any member or group of the community on the basis of actual or perceived characteristic protected by policy or law, is a form of prohibited discrimination under this policy. Gateway does not tolerate discriminatory harassment against any employee, student, visitor, or guest on the basis of any status protected by policy or law. Gateway will remedy all forms of harassment, including by imposing sanctions on the harasser through application of the Equity Resolution Procedure. Gateway's harassment policy explicitly prohibits any form of harassment, defined as unwelcome conduct on the basis of actual or perceived membership in a protected class, by any member or group of the community, when that conduct creates a hostile environment.



Generally speaking, a hostile environment is one that unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities. This discriminatory effect results from harassing verbal, written, graphic, or physical conduct that is severe or pervasive and objectively offensive.

Any employee, student, visitor, or guest who is affected by unwelcome harassing conduct is encouraged to make a report so that the College can offer assistance and resources. Where conduct does not rise to the level of creating a hostile environment as defined in this policy, the College may invite persons alleged to be responsible to meet and discuss remedial actions, education, and/or effective conflict resolution mechanisms. Participation in such actions is voluntary.

### **Bias Response**

Gateway primarily addresses bias incidents that do not create a hostile environment, as defined in this policy, by providing supportive measures to the recipient of such biased statements or behaviors, while respecting the free speech rights of the respondent. In addition, depending on the severity of the situation, the Office for Equal Opportunity and Civil Rights may, on a voluntary basis, request to meet with the individual(s) who engaged in the alleged biased behavior. Most bias incidents that do not create a hostile environment, while possibly harmful to the recipient, are speech protected by the first amendment and, in such situations, are not subject to disciplinary action or demands to cease such behavior.

## **5. Other Civil Rights Offenses**

Gateway additionally prohibits the following offenses as forms of discrimination when the act is based upon the complainant's actual or perceived membership in a protected class.

**Sexual Exploitation**, defined as: taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute Sex-based harassment under this policy.

Examples of Sexual Exploitation include, but are not limited to:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
- Invasion of sexual privacy (e.g., doxxing).





- Knowingly making an unwelcome disclosure of (or threatening to disclose) an individual's sexual orientation, gender identity, or gender expression. Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually-related activity, when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity or disseminating sexual pictures without the photographed person's consent), including the making or posting of non-consensual pornography.
- Prostituting another person.
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually-transmitted disease (STD) or infection (STI), without informing the other person of the infection.
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity.
- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections (e.g., spoofing)
- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity.
- Knowingly soliciting a minor for sexual activity.
- Engaging in sex trafficking.
- Knowingly creating, possessing, or disseminating child pornography.

### **Harm/Endangerment**

- Threatening or causing physical harm.
- Extreme verbal, emotional, or psychological abuse.
- Other conduct which threatens or endangers the health or safety of any person or damages their property.

### **Discrimination**

- Actions that deprive, limit, or deny other members of the community of educational or employment access, benefits, or opportunities, including disparate treatment.

### **Intimidation**

- Implied threats, or
- Acts that cause the complainant reasonable fear of harm.

**Hazing**

Acts likely to cause physical or psychological harm or social ostracism to any person within Gateway's community when related to the admission, initiation, pledging, joining, or any other group-affiliation activity.

**Bullying**

Repeated and/or severely aggressive behavior that is likely to intimidate or intentionally hurt, control, or physically or mentally diminish the complainant, that is not speech or conduct that is otherwise protected by the First Amendment.

Violation of any other Gateway policies may constitute an offense that violated the civil rights of others when conduct is motivated by actual or perceived protected characteristics, and the result is a discriminatory limitation or denial of employment or education access, benefits, or opportunities (e.g. vandalism motivated by hatred for a specific ethnic group).

**6. Training and Prevention Program**

Gateway provides all students and employees with the opportunity to complete training that focuses on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, stalking, and other forms of discrimination. Primary programming is provided to incoming and existing employees through the Title IX for Employees workshop and for incoming and existing students online through the Know Your (Title IX) Rights training. In addition, ongoing programming is provided to employees and students through such campaigns and events, including but not limited to, tabling events, presentations to students and employees, awareness campaigns (i.e. sexual assault awareness month and domestic violence awareness month), and bystander intervention training.

**7. Reporting Discrimination, Harassment, and Retaliation**

Anyone who believes that the policy on Equal Opportunity, Civil Rights, and Sexual Harassment has been violated should file a report or contact the Director of Compliance. Reports of discrimination, harassment and/or retaliation may be made using any of the following options. Reports can be made in-person during business hours and any time electronically (Maxient, e-mail, US mail, or phone).

- Report online, using the Incident (Maxient) reporting form located at [gtc.edu/TitleIX](https://gtc.edu/TitleIX) and [gtc.edu/eoo](https://gtc.edu/eoo).



- Report directly to the Office for Equal Opportunity and Civil Rights at 262-564-3062, [compliance@gtc.edu](mailto:compliance@gtc.edu), 1001 S. Main Street, or in-person at the Racine Campus, Lake Building, Room L101B (check in at the Learning Success Center).
- File an incident report with a Campus Security Officer (Racine/iMet: 262-619-6208; Kenosha/Horizon/Lakeview: 262-564-2208; Elkhorn/Burlington: 262-741-8208).

Anonymous reports are accepted but can give rise to a need to investigate. Gateway provides supportive measures to all Complainants, though doing so is impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as Gateway respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows Gateway to discuss and/or provide supportive measures.

Formal Complaint means a document submitted or signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that Gateway investigate the allegation(s). A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in the section immediately above, or as described in this section. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by Gateway) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint, and requests that Gateway investigate the allegations.

Allegations of misconduct, discrimination, harassment or retaliation committed by the Director of Compliance, Vice President of Diversity, Equity, and Inclusion, President, or a member of the Board of Trustees should be filed via Maxient by selecting the position of the person to whom the complaint is about under the “Who is the report regarding?” field. Maxient reports with this option selected are only sent to the VP of Administration and the college’s law firm, Quarles and Brady. To ensure an equitable, fair, and objective investigation, Quarles & Brady, or a third party designated by Quarles & Brady, will conduct the initial assessment and investigation of these individuals, should one be required.

Upon completion of the initial assessment and a determination that there is not a likely policy violation, Quarles & Brady (or its designated third party) will provide a written justification of this decision to the reporting party, the Office for Equal Opportunity and Civil Rights, and the VP of Administration. Should Quarles & Brady (or its designated third party) determine that the allegations indicate a likely policy violation, a copy of the



final investigation report will be sent to the reporting party, the Office for Equal Opportunity and Civil Rights, and the VP of Administration.

**Individuals also have a right to file a complaint with an appropriate government agency. Complaints to these agencies can be made alongside a complaint to the College or without a complaint to the College.**

Employee complaints regarding employment discrimination and those relating to an employee (or a student when the *Oliveras*\* test is met):

Wisconsin Equal Rights Division (DWD)

PO Box 7997

Madison, WI 53707-7997

608-266-3131

[dwd.wisconsin.gov/er/civilrights/](http://dwd.wisconsin.gov/er/civilrights/)

AND/OR

Equal Employment Opportunity Commission (EEOC)

Reuss Federal Plaza

310 West Wisconsin Avenue, Suite 500

Milwaukee, WI 53203-2292

[eeoc.gov](http://eeoc.gov)

Phone: 1-800-669-4000

TTY: 1-800-669-6820

ASL Video Phone: 844-234-5122

Student and/or employee or third-party complaints regarding discrimination in the college's education program or activities:

U.S. Department of Education Office for Civil Rights

Citigroup Center

500 W. Madison Street, Suite 1475

Chicago, IL 60661-4544

[ocrcas.ed.gov](http://ocrcas.ed.gov)

Telephone: (312) 730-1560

Email: [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov)

Students may also file a complaint relating to disability discrimination in post-secondary education with the Wisconsin Equal Rights Division or on any protected characteristic under the WFEA when the *Oliveras* test is met.

\*The [Oliveras decision](#) requires that for the Equal Rights Division to have jurisdiction under the provisions of the Act, three requirements must be satisfied: (1) the complaint must allege that an actual or potential "employee" or "applicant for employment or



licensing” has been unlawfully discriminated against; (2) the complaint must name as respondent a party who is an “employer,” a “labor organization,” a “licensing agency,” or a “person” within the meaning of the Act; and (3) the complaint must allege a sufficient nexus between the discrimination complained of and the denial or restriction of some employment opportunity.

There is no time limitation on providing notice/complaints to the Office for Equal Opportunity and Civil Rights. However, if the Respondent is no longer subject to Gateway’s jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible. Acting on allegations significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Director of Compliance/Title IX Coordinator, who may document allegations for future reference, offer supportive measures, and/or engage in informal or formal action, as appropriate. When notice/complaint is affected by significant time delay, Gateway will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint. Those versions are available from the Office for Equal Opportunity and Civil Rights.

## **8. Mandated reporting of policy violations**

All Gateway employees, including casual, temporary, and student employees, have a duty to report allegations of discrimination, harassment, sexual misconduct, and/or retaliation, unless exempted from doing so under the “Confidential Reporting” section below, that they observe or have knowledge of, even if not reported to them by the Complainant or third-party. All employees shall promptly file a Maxient Incident Report within 48 hours of becoming aware of such information. Failure of a non-confidential employee to report an incident or incidents of discrimination, harassment, sexual misconduct or retaliation of which they become aware is a violation of College policy and can be subject to disciplinary action for failure to comply. Confidentiality and mandated reporting are addressed more specifically later in this policy.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report alleged crimes and/or policy violations, and these employees will immediately pass reports to the Director of Compliance/Title IX Coordinator (and/or police, if desired by the Complainant or required by law), who will act when an incident is reported to them.

Though this may seem obvious, when a Mandated Reporter is engaged in harassment or other violations of this policy, they still have a duty to report their own misconduct,



though Gateway is technically not on notice when a harasser is also a Mandated Reporter unless the harasser does in fact report themselves. Finally, it is important to clarify that a Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.

Employees must promptly share all details of the reports they receive. Generally, climate surveys, classroom writing assignments or discussions, human subjects research, or events such as Take Back the Night marches or speak-outs do not provide notice that must be reported to the Director of Compliance by employees, unless the reporting party clearly indicates that they wish a report to be made. Remedial actions may result from such disclosures without formal College action.

## **9. When a Complainant Does Not Wish to Proceed**

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the Director of Compliance/Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The Director of Compliance/Title IX Coordinator has ultimate discretion over whether Gateway proceeds when the Complainant does not wish to do so, and the Title IX Coordinator may sign a formal complaint to initiate a grievance process upon completion of an appropriate violence risk assessment.

The Director of Compliance/Title IX Coordinator's decision should be based on results of the violence risk assessment that show a compelling risk to health and/or safety that requires Gateway to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. Gateway may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

The Director of Compliance/Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and Gateway's ability to pursue a Formal Grievance or Resolution Process fairly and effectively.



When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When Gateway proceeds, the Complainant (or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant, though this does not extend to the provision of evidence or testimony.

Note that Gateway's ability to remedy and respond to notice may be limited if the Complainant does not want Gateway to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing the Gateway's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow Gateway to honor that request, Gateway may offer informal resolution options (as appropriate and applicable), supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint later. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by Gateway, and to have the incidents investigated and properly resolved through these procedures. Please consider that delays may cause limitations on access to evidence or present issues with respect to the status of the parties.

## **10. Privacy**

Formal reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told, including but not limited to Office for Equal Opportunity and Civil Rights, Campus Safety and Security, Human Resources, Campus Dean, and the CARE Team. Information will be shared as necessary with investigators, witnesses and the responding party.

Information will be shared as necessary with investigators, Decision-makers, witnesses, and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a reporting party's rights and privacy, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C.



1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under H-120: Equity Resolution Process or H-130: Title IX Grievance Procedure.

The Director of Compliance/Title IX Coordinator reserves the right to determine which Gateway officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

All reports are acted upon promptly while every effort is made by the College to preserve the privacy of reports. Regardless of whether the reporting party has opted-out of allowing the College to share “directory information,” personally identifiable information about the reporting party and witnesses will be treated as private, and shared with those on a “need to know” basis. In cases where a formal complaint is filed and the reporting party wishes to proceed with a resolution, the responding party will be provided with the name of the reporting party, the nature of the allegations, and the names of witnesses provided. Likewise, the responding party’s list of witnesses will be shared with the reporting party.

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, Gateway must issue timely warnings for reported incidents that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

Gateway will ensure that a Complainant’s name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions considering the potential danger.

## 11. Federal Reporting Obligations

Certain institutional officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act):

- All “primary crimes,” which include criminal homicide, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- Hate crimes, which include any bias-motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property;





- VAWA -based crimes, which include sexual assault, domestic violence, dating violence, and stalking; and
- Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept private, but statistical information must be shared with campus security regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

Campus Security Authorities are addressed in more detail in Gateway's policy H-106: Clery Act Compliance.

## **12. Amnesty**

The Gateway community encourages the reporting of harassment, discrimination, and crimes by complainants and witnesses. Sometimes, complainants or witnesses are hesitant to report to College officials or participate in resolution procedures because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident.

It is in the best interests of the Gateway community that individuals report to Gateway officials and that witnesses come forward to share what they know. To encourage reporting, Gateway maintains a policy of offering reporting parties and witnesses amnesty from minor policy violations, such as underage consumption of alcohol or the use of illicit drugs, related to the incident. Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty to a respondent is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty, the incentive to report serious misconduct, is rarely applicable to respondent with respect to a complainant.

The Director of Compliance will review and approve any amnesty requests.

## **13. Jurisdiction of this Policy**

This policy applies to the employment and education programs and activities of Gateway, to conduct that takes place on the campus or on property owned or controlled by the Gateway, at Gateway-sponsored events, or in buildings owned or controlled by



Gateway's recognized student organizations. This policy can also be applicable to the effects of off-campus misconduct that effectively deprives someone of access to Gateway's education program and activities or benefits and opportunities of employment. Gateway may also extend jurisdiction to off-campus and/or to online conduct when the Director of Compliance/Title IX Coordinator determines that the conduct affects a substantial Gateway interest. Regardless of where the conduct occurred, Gateway will address notice/complaints to determine whether the conduct occurred in the context of its employment or education program or activity and/or has continuing effects on campus (including virtual learning and employment environments) or in an off campus sponsored program or activity.

A substantial Gateway interest includes:

- Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state or federal law;
- Any situation where it appears that the responding party may present a danger or threat to the health or safety of self or others;
- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational interests of the College as determined by the Director of Compliance.

If the responding party is unknown or is not a member of the Gateway community, the Director of Compliance/Title IX Coordinator will assist the Complainant in identifying appropriate institutional and local resources and support options and/or, when criminal conduct is alleged, in contacting local law enforcement if the individual would like to file a police report. In addition, Gateway may take other actions as appropriate to protect the reporting party against such third parties, such as barring the latter from Institution property and/or events. All vendors serving the college through third-party contracts are subject to the policies and procedures of their employers. Further, even when the Respondent is not a member of Gateway's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Director of Compliance/Title IX Coordinator.

When the responding party is enrolled in or works at another Institution, the Director of Compliance/Title IX Coordinator can assist the reporting party in liaising with the appropriate individual for that Institution, as it may be possible to pursue action under that Institution's policies.



Similarly, the Director of Compliance/Title IX Coordinator may be able to assist and support a student or employee reporting party who experiences discrimination in an externship, study abroad program, or other environment external to the Institution where Sexual Harassment policies and procedures of the facilitating organization may give recourse to the reporting party. Further, even when the responding party is not a member of Gateway's community, remedies and resources can be accessed by contacting the Director of Compliance or by visiting [gtc.edu/TitleIX](http://gtc.edu/TitleIX).

The policies of Gateway are written and interpreted broadly to include online and cyber manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the Gateway's education program and activities or use Gateway's networks, technology, or equipment.

Although Gateway may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to Gateway, it will engage in a variety of means to address and mitigate the effects where possible.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via Snaps or other social media, unwelcome sexual or sex-based messaging, distributing or threatening to distribute nude or semi-nude photos or recordings, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of the Gateway community.

Any online posting or other electronic communication by students, including cyber-bullying, cyber-stalking, cyber-harassment, etc., occurring completely outside of the Gateway's control (e.g., not on Gateway networks, websites, or between Gateway email accounts) will only be subject to this policy when such online conduct can be shown to cause a substantial in-program disruption or infringement on the rights of others. Otherwise, such communications are considered speech protected by the First Amendment. Supportive measures for Complainants will be provided, but legally protected speech cannot be subjected to discipline.



Off-campus harassing speech by employees, whether online or in person, may be regulated by Gateway only when such speech is made in an employee's official or work-related capacity.

#### **14. Policy on Affirmative Action**

Gateway is committed to affirmative action for women, minorities, veterans, and disabled individuals in employment and academic advancement. The college completes a comprehensive affirmative action plan every year and uses this data to guide placement goals relating to these groups. Placement goals, when indicated, are neither rigid nor inflexible goals that set a ceiling or floor for employment of particular protected class groups. Goals do not create set-asides for employment groups nor are they intended to achieve proportional representation or equal results. Goals do not supersede objective criteria and merit selection principles. All employment decisions are made in a nondiscriminatory manner and placement goals are not used to extend a preference to any individual or adversely affect an individual employment status on the basis of race, sex, religion, etc. In addition, the college conducts an adverse impact analysis to identify possible barriers to employment for all groups to ensure equal employment opportunity.

Gateway's Director of Compliance has been designated as the Affirmative Action Officer and will share relevant information relating to the affirmative action plan with human resource leaders and other members of the college and the public through various methods. Select information regarding the affirmative action plan will be published on the college's website at [gtc.edu/eeo](http://gtc.edu/eeo).

#### **15. Language Access**

In accordance with Title VI of the Civil Rights Act of 1964, Gateway will take reasonable measures to provide meaningful access to those with Limited English Proficiency (LEP) in the provision of all activities, services, and programs offered or sponsored by the college, to the extent required by law. However, the College is not required to provide programs, services, or activities in a language other than English. For the purposes of this policy, LEP is defined as "individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English." Meaningful access is defined as language assistance that results in accurate, timely, and effective communication to the LEP individual. For LEP individuals, meaningful access denotes access that is not unreasonably restricted,



delayed, or inferior as compared to access to programs or activities provided to English proficient individuals.

The College will ensure meaningful communication with persons who are LEP and their authorized representatives, as well as providing for communication of information contained in vital documents. Gateway will provide all interpreters, translators, and other aids needed to comply with this policy without cost to persons accessing services. The college will provide language assistance through the use of competent bilingual staff, contracts or formal arrangements with organizations providing interpretation or translation services, or technology and telephonic interpretation services.

Gateway's Language Access Plan is published at [gtc.edu/LEP](http://gtc.edu/LEP).

## 16. Policy on Accommodation Disabilities

Gateway is committed to full compliance with the Americans with Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Amendment Act (ADAAA) which prohibit discrimination against qualified persons with disabilities, as well as other applicable federal and state laws pertaining to individuals with disabilities. Under the ADA and its amendments, a person has a disability if they have a physical or mental impairment that substantially limits a major life activity. The ADA defines a major life activity as those functions that are important to most people's daily lives and include breathing, walking, talking, hearing, seeing, sleeping, caring for oneself, performing manual tasks, and working.

Under the WFEA (as it applies to employees), an individual has a disability when he or she has a physical or mental impairment which makes achievement unusually difficult or limits the capacity to work. An impairment "makes achievement unusually difficult" when it limits a person's major life activities such as seeing, hearing, walking, learning, and working. An impairment "limits the capacity to work" when the restrictions imposed by the impairment limit the individual's ability to perform the particular job in question. The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by the institution whether qualified or not.

Neither the ADA nor WFEA require an employer to lower or disregard production or performance standards because an employee with a disability cannot meet standards due to a disability-related reason. The ADA and Section 504 of the Rehabilitation Act do not require the College to lower or disregard academic or performance standards for students with a disability who cannot meet standards due to a disability-related reason.



The Director of Compliance has been designated as the ADA/504 Coordinator responsible for coordinating efforts to comply with these disability laws, including investigation of any allegations of noncompliance. Grievances related to disability status and/or accommodations for both students and employees will be addressed using policy H-120: Equity Resolution Process.

## 17. Students with Disabilities

Gateway provides qualified students with disabilities with reasonable accommodation(s) and support needed to ensure equal access to the academic programs and activities of the College. All accommodations are made on a case-by-case basis and based on a student's physical or mental impairment. A student requesting an accommodation should first contact Student Accommodations and Accessibility Services (SAAS) which coordinates services for students with disabilities. The Accommodations and Accessibility Coordinator reviews documentation provided by the student, and, in consultation with the student and other College faculty and staff (as necessary and appropriate), determines which reasonable accommodations are appropriate to the student's particular needs and academic programs in accordance with applicable College policies. Temporary disabilities that are severe or expected to last six months or longer are considered disabilities under the Americans with Disabilities Act Amendments Act of 2008 (ADAAA).

## 18. Applicants and Employees with Disabilities

Pursuant to the ADA and WFEA, Gateway will provide reasonable accommodation(s) to all job applicants and qualified employees with disabilities who request accommodations and where their disability makes achievement unusually difficult, limits their capacity to work, and/or impacts their ability to perform the essential functions of their job, except where doing so would be unduly disruptive or would result in undue hardship.

An employee with a disability is responsible for requesting an accommodation request in writing or electronically using the Accommodation Request Form found on the Compliance intranet page ([gtc.edu/compliance](http://gtc.edu/compliance)) and submitting the completed form, along with appropriate documentation, to the Office for Equal Opportunity and Civil Rights. The Director of Compliance/ADA Coordinator or designee will work with the employee's supervisor to identify which job functions or tasks are affected by the



employee's disability and what reasonable accommodations could enable the employee to perform those duties in accordance with applicable Gateway policies.

While disability accommodation requests are managed with a high level of confidence, the Director of Compliance may, in certain circumstances, work with the employee's supervisor and human resources to identify which essential functions of the position are affected by the employee's disability and to implement the specific accommodation. In these situations, only information about the accommodation, and not the medical condition being accommodated, will be shared with these parties.

## **19. Service Animals**

A person with a disability has a general right of privacy about the disability and cannot be asked about the nature or extent of the disability. Service animals are defined by the Americans with Disabilities Act as a dog, or, in more limited cases, a miniature horse, which has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability. The dog must be trained to take specific action when needed to assist the person with a disability. However, state law defines a service animal as any animal that has been individually trained to do work or perform tasks for a person with a disability. Service animals, which include guide and signal dogs, are allowed to go anywhere the general public or student is allowed to go with few exceptions. If admitting service animals would fundamentally alter the nature of a service or program, service animals may be prohibited. In addition, if a particular service animal is out of control and the handler does not take effective action to control it, or if it is not housebroken, that animal may be excluded.

Unlike federal law, state law extends legal rights to service animals in training and the trainer must be present with the animal in training. Gateway staff may ask a trainer for certification of the training from a school for training service animals. Gateway can also require that an animal in training wear an identifying cape or vest.

There is no requirement under state or federal law that a service or support animal be documented in an official registry or wear an identifying vest or identification tag. In addition, students may voluntarily register their service animal with Student Accommodations and Accessibility Services and include their animal on their accommodation plan.



Emotional support, therapy, comfort, and companion animals are not service animals and are not allowed inside buildings except under specific College-approved circumstances such as when the College brings in therapy dogs during finals week.

Service animals must always be under the control of the handler, and the handler is solely responsible for all care of the animal. Gateway employees should not inquire about a service animal unless the animal is disruptive, acting dangerous, or otherwise presents a health or safety concern. In such cases, the Gateway employee should contact security and file a Maxient report.

Employees, including campus security, may ask two questions of a person with a service animal, “Is the service animal required because of a disability?” and “What work or tasks has the animal been trained to perform?”

Wisconsin law prohibits the following conduct toward a service animal: intentional or reckless harassment, injury, or death of service animals.





## **20. Policy on Pregnant Students and Employees**

Under the Department of Education's (ED) Title IX regulations, an institution that receives federal funding "shall not discriminate against any student or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom." According to the ED, appropriate treatment of a pregnant student includes granting the student leave "for so long a period of time as is deemed medically necessary by the student's physician," and then effectively reinstating the student to the same status as was held when the leave began.

All employees are required to refer students who inform them that they are pregnant to the Title IX Pregnant Student program by sending an email to [TIXpregnancy@gtc.edu](mailto:TIXpregnancy@gtc.edu).

This generally means that pregnant students should be treated by Gateway the same way as someone who has a temporary disability, and will be given an opportunity to make up missed work wherever possible. Extended deadlines, make-up assignments (e.g., papers, quizzes, tests, and presentations), tutoring, independent study, online course completion options, and incomplete grades that can be completed later, should all be employed, in addition to any other ergonomic and assistive supports typically provided by Disability Support Services. To the extent possible, Gateway will take reasonable steps to ensure that pregnant students who take a leave of absence or medical leave return to the same position of academic progress that they were in when they took leave, including access to the same course catalog that was in place when the leave began.

The IX Pregnant Student Program has the authority to determine which accommodations are necessary and appropriate, and to inform faculty members of the need to adjust academic parameters accordingly. The Title IX Coordinator has the responsibility of approving all Title IX accommodations forms that require processing through Perceptive Content and assuring that the accommodations are consistent and appropriate. The final decision regarding all Title IX Pregnant accommodations lies with the Gateway Office for Equal Opportunity and Civil Rights.

As with disability accommodations, information about pregnant students' requests for accommodations will be shared with faculty and staff only to the extent necessary to provide the reasonable accommodation and never includes specific medical information. Faculty and staff will regard all information associated with such requests as private and will not disclose this information unless necessary. Administrative



responsibility for these accommodations lies with Title IX Pregnant Student Program who will maintain all appropriate documentation related to accommodations.

In situations such as clinical rotations, performances, labs, and group work, the institution will work with the student to devise an alternative path to completion, if possible. In progressive curricular and/or cohort-model programs, medically necessary leaves are sufficient cause to permit the student to shift course order, substitute similar courses, or join a subsequent cohort when returning from leave.

Students are encouraged to work with the Title IX Pregnant Student Program as soon as they learn they are pregnant and don't yet need accommodation. This will allow the student to devise a plan for how to best address the conditions as pregnancy progresses, anticipate the need for leaves, minimize the academic impact of their absence, and get back on track as efficiently and comfortably as possible.

### **Definitions under this section**

- Caretaking: caring for and providing for the needs of a child.
- Medical Necessity: a determination made by a qualified healthcare provider (of the student's choosing) that a certain course of action is in the patient's best health interests.
- Parental Status: the status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability, is:
  - A biological parent;
  - An adoptive parent;
  - A foster parent;
  - A stepparent;
  - A legal custodian or guardian;
  - In loco parentis with respect to such a person; or
  - Actively seeking legal custody, guardianship, visitation, or adoption of such a person.
- Pregnancy and Pregnancy-Related Conditions: include: 1) Pregnancy, childbirth, termination of pregnancy, or lactation; 2) medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or 3) the recovery from pregnancy, childbirth, termination of pregnancy, lactation, or their related medical conditions.
- Pregnancy Discrimination: includes treating an individual affected by pregnancy or a pregnancy--related condition less favorably than similar



individuals not so affected and includes a failure to provide legally mandated leave or accommodations.

- **Pregnant Student/Birth□Parent:** refers to the student who is or was pregnant. This policy and its pregnancy-related protections apply to all pregnant persons.
- **Reasonable Accommodations:** (for the purposes of this provision) changes in the academic environment or typical operations that enables pregnant students or students with pregnancy-related conditions to continue to pursue their studies and enjoy the equal benefits of Gateway.

### **Reasonable accommodations of students affected by qualifying conditions**

- Gateway and its faculty, staff, and other employees will not require students to limit their studies as the result of pregnancy or pregnancy□related conditions.
- The benefits and services provided to students affected by pregnancy will be no less than those provided to students with temporary medical conditions.
- Students with pregnancy-related disabilities, like any student with a short□term or temporary disability, are entitled to reasonable accommodations so that they will not be disadvantaged in their courses of study or research, and may seek assistance from the Title IX Pregnant Student Program.
- Pregnant rights become effective and in force when a student formally contacts and provides required documentation to the Title IX Pregnant Student Program. Accommodations are made within the same semester as the qualifying event occurs and going forward and Gateway typically does not provide retroactive accommodations beyond the current semester. However, there are situations that could prevent a student from registering as a pregnant/parenting student, as noted below, and which must be approved by the Title IX Coordinator. Exceptions include situations that made it impractical or impossible for the student or a designee to contact the Title IX Pregnant Student Program, such as incarceration, incapacitation, homelessness, and the like. Documentation is required that shows dates that correspond to the duration of the exception. The student is responsible for providing all the documentation in the initial request and there are no appeals or further reviews of retroactive accommodations.

The college will provide retroactive accommodations for cases that occurred prior to January 1, 2019, if, after a review of the syllabi from the student's courses and related



information for the semester in question, there is no indication that the student was provided notice of the pregnant students' rights.

Nothing in this policy requires modification to the essential elements of any academic program. A calculation of the student's grade is completed as part of the accommodation process. The student must have been able to earn a passing grade in the class when controlling for the excused time.

## **21. Employee Accommodations**

Pregnant employees are also protected by the Pregnant Workers Fairness Act (PWFA). Under the PWFA, a "qualified employee" is an employee or applicant who, with or without reasonable accommodation, can perform the essential functions of the employment position, except that an employee or applicant may still be qualified if they are temporarily unable to perform an essential job function.

Protections and rights under the PWFA include reasonable accommodations, discovered through an interactive process, to known limitations related to the pregnancy, childbirth, or related medical conditions of a qualified employee, unless the accommodation would impose an undue hardship on the employer. Qualified employees cannot be denied employment opportunities based on the need of the employer to make reasonable accommodations to the pregnancy, childbirth, or related medical conditions of the qualified employee. In addition, a qualified employee cannot be required to take paid or unpaid leave if another reasonable accommodation can be provided to the known limitations related to the pregnancy, childbirth, or related medical conditions of the qualified employee. As with all other laws, the employee requesting or utilizing an accommodation under this provision is protected from retaliation or other adverse action.

### **Nursing Students & Employees**

Gateway provides private personal needs rooms that can be used for any need, including pumping breast milk and medication administration. The college does not provide storage for breast milk though employees may store breast milk in the staff refrigerator.

Each campus and center have a designated personal needs room. Contact [TIXpregnancy@gtc.edu](mailto:TIXpregnancy@gtc.edu) (link sends e-mail) to obtain access.



There is no state law pertaining to workplace lactation/pumping, but the federal Fair Labor Standards Act (FLSA), Providing Urgent Maternal Protections for Nursing Mothers Act (PUMP) Act, & Title IX provide the following protections:

Reasonable break time for an employee to express breast milk for her nursing child for two years after the child's birth each time such employee has need to express the milk.

A place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk. A bathroom, even if private, is not a permissible location.

A reasonable amount of break time to express milk as frequently as needed by the nursing mother. The frequency of breaks needed to express milk as well as the duration of each break will likely vary.

Employers are not required under the FLSA or PUMP Act to compensate nursing mothers for breaks taken for the purpose of expressing milk. However, where employers already provide compensated breaks, an employee who uses that break time to express milk must be compensated in the same way that other employees are compensated for break time. In addition, the FLSA's general requirement that the employee must be completely relieved from duty or else the time must be compensated as work time applies.

Under the PUMP Act, employees are to notify their employer if they believe the employer is not in compliance with the Act and give the employer 10 days from such notice to cure the noncompliance. Submit a report of non-compliance to the Office for Equal Opportunity and Civil Rights.

Retaliation for exercising rights under this provision is prohibited.

### **Student-employee leave**

All student-employees are entitled to the protections of the Family and Medical Leave Act and the Pregnant Workers Fairness Act.

Pregnancy and related conditions shall be treated as any other temporary disability for job purposes, including leave and benefits.

Pregnancy and related conditions will be regarded as a justification for a leave of absence without pay for a reasonable period of time, at the conclusion of which



employees will be reinstated to the status that they held when the leave began or to a comparable position, without decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.

## **22. Free Exercise of Religion and Religious Accommodation**

Students and employees are entitled to accommodation on the basis of religious beliefs. The Equal Employment Opportunity Commission defines religion to include theistic beliefs (i.e., those that include a belief in God) as well as non-theistic moral or ethical beliefs about right and wrong that are as sincerely held with the strength of traditional religious views. The Wisconsin Fair Employment Act defines "creed" as "a system of religious beliefs, including moral or ethical beliefs about right and wrong that are sincerely held with the strength of traditional religious views." The term is to be interpreted broadly and on an individual basis as not all people observe even the same faith in the same way. Social, political, or economic philosophies, or personal preferences, are not "religious" beliefs under Title VII. The law provides protection against religious discrimination in the terms and benefits of employment, including any action that would tangibly impact an employee's employment.

A religious accommodation is one that accommodates an employee or student's observance, practice, or belief unless doing so would create an undue hardship. In the classroom is a change in class schedule or in the way assignments are customarily completed to enable a student to participate in his/her religious practice or belief without causing undue hardship or materially altering the course.

A religious accommodation could also relate to campus policies, procedures or practices pertaining to students, where, because of his/her religious practice or belief, the student was unable to meet a deadline.

Students may express their beliefs about religion in homework, artwork, and other written and oral assignments free from discrimination based on the religious perspective of their submissions. Such home and classroom work should be judged by ordinary academic standards of substance, relevance, and other legitimate pedagogical objectives. Thus, if a teacher's assignment involves writing a poem, the work of a student who submits a poem in the form of a prayer (for example, a Psalm) should be judged based on academic standards (such as literary quality) and be neither penalized nor rewarded on account of its religious perspective.

Those seeking religious accommodations should speak with their supervisor or, in the case of students, their instructor. If the employee or student is not satisfied with the accommodation provided, they may file a complaint or otherwise contact the Office for Equal Opportunity and Civil Rights for assistance and resolution options. The Office for



Equal Opportunity and Civil Rights can and may request verification of beliefs and practices if there is a legitimate reason to do so.

### **23. Sexual Harassment**

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and Wisconsin Equal Rights Division regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice.

Gateway has adopted the following definition of Sexual Harassment to address the unique environment of an academic community, including federal law (2 U.S.C. 2000e-2) and state law (Wisconsin Statute 111.36).

Acts of Sexual Harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as conduct on the basis of sex, or that is sexual in nature, that satisfies one or more of the following:

#### **Quid Pro Quo (Title IX):**

- an employee of Gateway,
- conditions the provision of an aid, benefit, or service of Gateway,
- on an individual's participation in unwelcome sexual conduct.

Under Title VI, this type of conduct is referred to as "harassment resulting in discrimination with respect to a term, condition, or privilege of employment" and involves conduct based on a protected characteristic, carried out by a supervisor, manager, agent, or employer, that affects a term, condition, or privilege of employment.

#### **Sexual Harassment:**

- unwelcome conduct,
- determined by a reasonable person,
- to be so severe, and
- pervasive, and,
- objectively offensive,



- that it effectively denies a Complainant equal access to the Gateway's education program or activity or denies an employee the benefits or opportunities of employment.

Under Wisconsin Statute 111.36(1)(b), sexual harassment in the employment context includes implicitly or explicitly making or permitting acquiescence in or submission to Sexual Harassment a term or condition of employment; or making or permitting acquiescence in, submission to or rejection of Sexual Harassment the basis or any part of the basis for any employment decision affecting an employee, other than an employment decision that is disciplinary action against an employee for engaging in Sexual Harassment in violation of this paragraph; or permitting Sexual Harassment to have the purpose or effect of substantially interfering with an employee's work performance or of creating an intimidating, hostile or offensive work environment. Under this paragraph, substantial interference with an employee's work performance or creation of an intimidating, hostile or offensive work environment is established when the conduct is such that a reasonable person under the same circumstances as the employee would consider the conduct sufficiently severe or pervasive to interfere substantially with the person's work performance or to create an intimidating, hostile or offensive work environment.

Sexual harassment by an Employer is committed if a supervisor, manager, or owner of the employer engages in verbal or physical conduct of a sexual nature, whether or not that conduct creates a hostile work environment. In addition,

### **Sexual Assault**

- **Rape:** 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 complainant.
- **Fondling:** The touching of the private body parts of another person (usually buttocks, groin, breasts), for the purpose of sexual gratification, without consent of the victim.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Wisconsin law
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent of 18.

### **Dating Violence**





- Violence, on the basis of sex, committed by a person who is in or has been in a social relationship of a romantic or intimate nature with the complainant.
- The existence of such a relationship shall be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is 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.

### **Domestic Violence**

1. Felony or misdemeanor crimes committed by a person who is a current or former spouse or intimate partner of the victim under Wisconsin law or a person similarly situated to a spouse of the victim is cohabitating, or has cohabitated with the victim as a spouse or intimate partner, or shares a child in common with the victim or commits acts against a youth or adult victim who is protected from those acts under state family or domestic violence laws.

### **Stalking**

- Engaging in a course of conduct, on the basis of sex (or other protected characteristics), directed at the complainant, that would cause a reasonable person to fear for the person's safety, or the safety of others, or suffer substantial emotional distress.
- For the purposes of this definition, course of conduct means:
  - o Two or more acts, including, but not limited to, acts in which the respondent 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.
  - o A reasonable person means a person under similar circumstances and with similar identities to the complainant.
  - o Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.



Gateway reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this policy. The most serious offenses are likely to result in suspension/expulsion/termination.

## 24. Force and Consent

As used in the offenses above, the following definitions and understandings apply:

- **Force:** Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g. “Have sex with me or I’ll hit you,” “Okay, don’t hit me, I’ll do what you want.”). Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous dating relationship is not sufficient to constitute consent. The existence of consent is based on the totality of the circumstances, including the context in which the alleged incident occurred and any similar previous patterns that may be evidenced.
- **Coercion:** Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

### Consent is:

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.



Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied consent. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonably immediate time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent. If an individual expresses conditions on their willingness to consent (e.g., use of a condom) or limitations on the scope of their consent, those conditions and limitations must be respected.

Proof of consent or non-consent is not a burden placed on either party involved in a complaint. Instead, the burden remains on Gateway to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged misconduct occurred and any similar, previous patterns that may be evidenced.

Consent in relationships must also be considered in context. When parties consent to BDSM or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual, and as a result, Gateway’s evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default.

**Incapacitation:** A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious, for any reason, including due to alcohol or drug consumption. As stated above, a Respondent violates



this policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. "Should have known" is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the "who, what, when, where, why, or how" of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating substances.

## **25. Unethical Relationships**

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as faculty and student, supervisor and employee). The relationship may be less consensual than the person who has greater power perceives. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of this policy. The College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the College. For the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student) are generally discouraged.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with



direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor. Under such circumstances, the College will likely remove the employee from the supervisory or evaluative responsibilities or shift a party out of being supervised or evaluated by someone with whom they have established a consensual romantic or sexual relationship. While no relationships are prohibited by this policy, failure to timely self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

Gateway reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this policy.

## 26. State Law Definitions

Domestic violence is defined under Wisconsin statute 968.075 (1)(a) as any of the following engaged in by an adult person against his or her spouse or former spouse, against an adult with whom the person resides or formerly resided or against an adult with whom the person has a child in common:

- Intentional infliction of physical pain, physical injury or illness.
- Intentional impairment of physical condition.

A violation of s. 940.225 (1), (2) or (3) [sexual assault statute]

A physical act that may cause the other person reasonably to fear imminent engagement in the conduct described under subd. 1., 2. or 3.

Wisconsin does not have a separate legal definition of dating violence.

Wisconsin statute 940.32(1)(1) defines stalking as a course of conduct, which is a series of two or more acts carried out over time, however short or long, that show a continuity of purpose, including any of the following:

- Maintaining a visual or physical proximity to the victim.
- Approaching or confronting the victim.
- Appearing at the victim's workplace or contacting the victim's employer or coworkers.



- Appearing at the victim's home or contacting the victim's neighbors.
- Entering property owned, leased, or occupied by the victim.
- 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.
- 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.
- 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.
- Placing an object on or delivering an object to property owned, leased, or occupied by the victim.
- 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.
- Causing a person to engage in any of the acts described in subds. 1. to 9.

Rape is generally defined as forced sexual intercourse. It may also include situations where the victim is incapable of giving consent due to incapacitation by means of disability or alcohol or other drugs. Many rapes are committed by someone the victim knows, such as a date or friend.

Under State of Wisconsin law 940.225, rape is referred to as sexual assault, and is defined as sexual intercourse against the will of the victim that can occur under a variety of circumstances, including:

First degree sexual assault. Whoever does any of the following is guilty of a Class B felony:

- 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 reasonably to 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.
- Commits a violation under sub. (2) against an individual who is 60 years of age or older. This paragraph applies irrespective of whether the defendant had actual knowledge of the victim's age. A mistake regarding the victim's age is not a defense to a prosecution under this paragraph.

Second degree sexual assault. Whoever does any of the following is guilty of a Class C felony:

- 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 a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct, and the defendant knows of such a 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 a 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 the 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 nonclient 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.
- (k) Is a law enforcement officer and has sexual contact or sexual intercourse with any person who is detained by any law enforcement officer, as provided under s. 968.24, or is in the custody of any law enforcement officer. This paragraph applies whether the custody is lawful or unlawful and whether the detainment or custody is actual or constructive. Consent is not an issue in an action under this paragraph.

Third degree sexual assault. Whoever has sexual intercourse with a person without the consent of that person is guilty of a Class G felony. Whoever has sexual contact in the manner described in sub. (5) (b) 2. or 3. with a person without the consent of that person is guilty of a Class G felony.

Fourth degree sexual assault. Except as provided in sub. (3), whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor.





The cities of Racine, Elkhorn, Kenosha, and Burlington; the villages of Sturtevant and Pleasant Prairie; and the counties of Racine, Kenosha, and Walworth do not have local ordinances relating to dating violence, domestic violence, sexual assault, or stalking.

Besides rape, other sexual offenses include the following: sodomy (forced anal intercourse); oral copulation (forced oral-genital contact); rape by a foreign object (forced penetration by a foreign object, including a finger); and sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).

In Wisconsin, sexual consent is defined as 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:

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

Complete Wisconsin sexual assault offense definitions can be found in WIS.STAT.940.225: <http://docs.legis.wisconsin.gov/statutes/statutes/940//>

## 27. Preservation of Evidence

The preservation of evidence in incidents of sexual assault and stalking is critical to potential criminal prosecution and to obtaining restraining orders, and particularly time-sensitive. Gateway will inform the Complainant of the importance of preserving evidence by taking the following actions:

### **Sexual Assault**

Seek forensic medical assistance at the [specify] hospital, ideally within 120 hours of the incident (sooner is better).

Avoid showering, bathing, washing hands or face, or douching, if possible, but evidence may still be collected even if you do.



Try not to urinate.

If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.

If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence) or secure evidence container [available from...].

Seeking medical treatment can be essential even if it is not for the purposes of collecting forensic evidence.

## **Stalking**

Evidence in the form of text and voice messages will be lost in most cases if the Complainant changes their phone number.

Make a secondary recording of any voice messages and/or save the audio files to a cloud server.

Take screenshots and/or a video recording of any text messages or other electronic messages (e.g., Instagram, Snapchat, TikTok, Facebook).

Save copies of email correspondence, including notifications related to account access alerts.

Take time stamped photographs of any physical evidence including notes, gifts, etc. in place when possible.

Save copies of any messages showing a request for no further contact.



Obtain copies of call logs showing the specific phone number being used rather than a saved contact name if possible.

## 28. Sex Offenders on Campus

In accordance with the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Gateway provides information on where individuals can locate registered sex offenders using the Wisconsin Department of Corrections website:

<http://offender.doc.state.wi.us/public>. All sex offenders are required to register in the state of Wisconsin and to provide notice to the Wisconsin Department of Correction wherever the offender is employed, carries on a vocation, volunteers services or is a student.

Students who have been convicted of a sex offense and are required to register with any state as a sex offender must disclose this information to the Office for Equal Opportunity and Civil Rights at by completing the self-disclosure form at [gtc.edu/safety](http://gtc.edu/safety).

The form must be completed and returned by mail to the Office for Equal Opportunity and Civil Rights (1001 Main St., Racine, WI 53403) or by email to [compliance@gtc.edu](mailto:compliance@gtc.edu).

This disclosure facilitates communication with the individual, enhances safety on campus, and assists the individual by addressing any existing restrictions imposed by probation and/or parole.

The College does not provide campus notifications of the existence of a sex offender on campus or share this information with anyone who does not have a need to know.

## 29. Remedial Action

Upon notice of alleged discrimination, harassment, sexual misconduct, or retaliation, Gateway will provide written notification to the parties and consider and implement appropriate initial remedial, responsive and/or protective actions. Such actions could include but are not limited to: no contact orders, providing counseling services, academic support, student financial aid counseling, providing a campus escort, changes in transportation, changes to academic or work schedules, safety planning,



and/or referral to campus and community support resources. Requests for accommodations can be made to the Office for Equal Opportunity and Civil Rights.

The College will take additional prompt remedial and/or disciplinary action with respect to any member of the community, guest or visitor upon a finding that they have engaged in discriminatory, harassing or retaliatory behavior.

The College will maintain as confidential any accommodations or protective measures, provided confidentiality does not impair the College's ability to provide the accommodations or protective measures.

### **30. Bystander Intervention**

Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of harm, dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes:

- recognizing situations of potential harm;
- understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.

The most basic and best action an active bystander can take is to call Security or local law enforcement at 911.

Additional ways to be a prosocial (active) bystander, include:

- Being vigilant by watching out for your friends and fellow students or employees
- If you see someone who is too intoxicated to consent, enlist their friends to help them leave safely
- Intervening and asking if a person needs help (e.g., "Do you need a ride?" or "Do you want me to call Security or the police?")
- Confronting people who seclude, hit on, and try to make out with, or have sex with people who may be incapacitated.



- Speaking up when someone discusses plans to take sexual advantage of another person.
- Believing someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Encouraging victims to self-report;
- Refer people to on- or off- campus resources listed in this document for support in health, counseling, or with legal assistance.

### **31. Confidentiality and Reporting**

All College employees (faculty, staff, administrators) are expected to report actual or suspected discrimination, harassment, sexual misconduct and retaliation to appropriate officials immediately, though there are some limited exceptions. In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, Student Support Counselors may maintain confidentiality – meaning they are not required to report actual or suspected discrimination or harassment to appropriate College officials (except in limited circumstances include suspected child abuse or threat of harm to others) – thereby offering options and advice without any obligation to inform an outside agency or campus official unless a reporting party has requested information to be shared. They may offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.

Employees who are confidential and who receive reports within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client. Other resources exist to report crimes and policy violations and these resources will act when an incident is reported to them. If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or policy violations, and these employees will promptly pass reports to the Director of Compliance/Title IX Coordinator (and/or law enforcement, if desired by the Complainant), who will take action when an incident is reported to them. The following describes the reporting options at Gateway.

#### **Confidential Reporting**



If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with:

On-campus

Licensed professional counselors (Student Support Counselor)

Elkhorn: 262-741-8300

Burlington: 262-741-8300

Kenosha: 262-564-2300

Racine: 262-619-6300

Off-campus:

Licensed professional counselors

Local rape crisis counselors

Elkhorn: 800-365-1587

Burlington: 262-638-6741

Kenosha: 800-236-7188

Racine: 262-638-6741

Domestic violence resources

Elkhorn: 262-723-4653

Burlington: 262-633-3233

Kenosha: 800-853-3503

Racine: 262-633-3233

Local or state assistance agencies

**Clergy/Chaplains**

All of the above-listed individuals should maintain confidentiality except in extreme cases of immediacy of threat, danger or abuse of a minor. Student Support Counselors



are available to help students free of charge and can be seen during normal business hours. For employees, the Employee Assistance Program is available to provide confidential support services and referrals.

Gateway makes every effort to preserve the confidentiality of reports. Gateway will not share the identity of any individual who has made a report or Formal Complaint of harassment, discrimination, or retaliation; any Complainant; any individual who has been reported to be the perpetrator of harassment, discrimination, or retaliation; any Respondent; or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA) or its implementing regulations, or as required by law; or to carry out the purposes of 34 C.F.R. Part 106, including any investigation, hearing, or grievance proceeding arising under these policies and procedures.

Gateway reserves the right to determine which College officials have a legitimate educational interest in knowing about incidents that fall under this Policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

### **32. Reporting Child Abuse and Neglect**

Wisconsin law 48.981(2) requires that any mandated reporter who has a reasonable cause to suspect that a child (defined as any person under the age of 18) seen by the person in the course of professional duties has been abused or neglected, or who has reason to believe that a child seen by the person in the course of professional duties has been threatened with abuse or neglect and that abuse or neglect of the child will occur is required to make a report. Mandated reporters include health professionals and mental health providers, among others. For the purpose of this policy, any employee who has reasonable cause to believe that a child who they've seen in the course of their duties at the College has been abused or neglected or threatened with abuse or neglect that will occur should immediately contact the Office for Equal Opportunity and Civil Rights and may be required to contact the local department of human services.

### **33. Parental Notification**

The College reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, change in student status or student conduct situation, particularly alcohol and other drug violations. The College may also notify



parents/guardians of non-dependent students who are under age 21 of alcohol and/or drug policy violations.

When a student is non-dependent, the College may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk. The College also reserves the right to designate which College officials have a need to know about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

### **34. Retaliation**

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this Policy.

Acts of alleged retaliation should be reported immediately to the Director of Compliance/Title IX Coordinator and will be promptly investigated. Gateway will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

Gateway and any member of Gateway's community are prohibited from taking or attempting materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, 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 and procedure.

Filing a complaint could be considered retaliatory when the charges are made for the purpose of interfering with or circumventing any right or privilege provided afforded within H-120: Equity Resolution Process that is not provided by H-130: Title IX Grievance Process. Therefore, Gateway vets all complaints carefully to ensure this does not happen, and to assure that complaints are tracked to the appropriate process.

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 complaint of Sexual Harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.





The exercise of rights protected by the First Amendment does not constitute retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding or equity resolution process under this policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

### **35. False Allegations and Information**

Deliberately false and/or malicious accusations under this policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence; tampering with or destroying evidence; or deliberately misleading an official conducting an investigation, hearing, or informal resolution can be subject to discipline under appropriate Recipient policies.

### **36. Records policy**

Records, both physical and electronic, of incidents or complaints and those produced during a civil rights inquiry or investigation are maintained for no less than seven years by the Office for Equal Opportunity and Civil Rights. Records that pertain to students are part of their student record and subject to FERPA. Drafts and “working files” are not considered records that must be maintained by the College and are destroyed at the conclusion of an inquiry or investigation. Students and employees may access these records in accordance with applicable College policies on access to records.

Records of the following are retained:

- Each civil rights investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
- Any disciplinary sanctions imposed on the Respondent;
- Any remedies provided to the Complainant designed to restore or preserve equal access to the Gateway’s education program or activity;
- Any appeal and the result therefrom;
- Any Informal Resolution and the result therefrom;



- All materials used to train Director of Compliance, Investigators, Decision-makers, and any person who facilitates an Informal Resolution Process. Gateway will make these training materials publicly available on Gateway's website;
- Any actions, including any supportive measures, taken in response to a report or Formal Complaint of sexual harassment, including:
  - The basis for all conclusions that the response was not deliberately indifferent;
  - Any measures designed to restore or preserve equal access to Gateway's education program or activity;

If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Gateway will also maintain any and all records in accordance with state and federal laws. The Office for Equal Opportunity and Civil Rights may access student and employee data held on college owned and managed networks as part of an investigation. Such data will be retained in keeping with this policy and other related college policies.

### **37. Revision**

These policies and procedures will be reviewed and updated regularly by the Director of Compliance. The College reserves the right to make changes to this document as necessary and once those changes are posted online at [gtc.edu/eeo](http://gtc.edu/eeo), they are in effect. The Director of Compliance may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules, etc. The Director of Compliance may also vary procedures materially with notice (on the institutional web site, with appropriate date of effect identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedure. Procedures in effect at the time of the resolution will apply to resolution of incidents, regardless of when the incident occurred. The policy in effect at the time of the offense will apply even if the policy is changed subsequently but prior to resolution, unless the parties consent to be bound by the current policy. If government regulations change in a way that impacts this document, this document will be construed to comply with government regulations in their most recent form.



This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such codes generally.





## 38. APPENDIX A: POLICY EXAMPLES

Some examples of possible Sexual Harassment include:

- A professor offers for a student to have sex or go on a date with them in exchange for a good grade. This constitutes Sexual Harassment regardless of whether the student accedes to the request and irrespective of whether a good grade is promised or a bad grade is threatened.
- A student repeatedly sends graphic, sexually-oriented jokes and pictures around campus via social media to hundreds of other students. Many don't find it funny and ask the student to stop, but the student does not. Because of these jokes, one student avoids the sender on campus and in the residence hall in which they both live, eventually asking to move to a different building and dropping a class they had together.
- A professor engages students in class in discussions about the students' past sexual experiences, yet the conversations are not in any way germane to the subject matter of the class. The professor inquires about explicit details and demands that students answer them, though the students are clearly uncomfortable and hesitant.
- An ex-partner widely spreads false stories about an individual's sex life with their former partner to the clear discomfort and frustration of the former partner, turning the former partner into a social pariah on campus.

### Examples of Stalking

- Students A and B were friends with benefits. Student A wanted a more serious relationship, which caused student B to break it off. Student A could not let go, and pursued student B relentlessly. Student B obtained a campus no-contact order. Subsequently, Student B discovered their social media accounts were being accessed, and things were being posted and messaged as if they were from them, but they were not. Whoever accessed their account posted a picture of a penis, making it look as if they had sent out a picture of themselves, though it was not their penis. This caused them considerable embarrassment and social anxiety. They changed their passwords, only to have it happen again. Seeking help from the Title IX Coordinator, Student B met with



the IT department, which discovered an app on their phone and a keystroke recorder on their laptop, both of which were being used to transmit their data to a third party.

- A graduate student working as an on-campus tutor received flowers and gifts delivered to their office. After learning the gifts were from a student they recently tutored, the graduate student thanked the student and stated that it was not necessary and would appreciate it if the gift deliveries stopped. The student then started leaving notes of love and gratitude on the tutor's car, both on-campus and at home. Asked again to stop, the student stated by email, "You can ask me to stop, but I'm not giving up. We are meant to be together, and I'll do anything to make you have the feelings for me that I have for you." When the tutor did not respond, the student emailed again, "You cannot escape me. I will track you to the ends of the earth. If I can't have you, no one will."

#### **Examples of Sexual Assault:**

- Amanda and Bill meet at a party. They spend the evening dancing and getting to know each other. Bill convinces Amanda to come up to his room. From 11:00 p.m. until 3:00 a.m., Bill uses every line he can think of to convince Amanda to have sex with him, but she adamantly refuses. Despite her clear communications that she is not interested in doing anything sexual with him, Bill keeps at her, questions her religious convictions, and accuses her of being "a prude." He brings up several rumors that he has heard about how she performed oral sex on a number of other guys. Finally, it seems to Bill that her resolve is weakening, and he convinces her to "jerk him off" (hand to genital contact). Amanda would have never done it but for Bill's incessant advances. He feels that he successfully seduced her and that she wanted to do it all along but was playing shy and hard to get. Why else would she have come up to his room alone after the party? If she really didn't want it, she could have left.
- Jiang is a junior. Beth is a sophomore. Jiang comes to Beth's residence hall room with some mutual friends to watch a movie. Jiang and Beth, who have never met before, are attracted to each other. After the movie, everyone leaves, and Jiang and Beth are alone. They hit it off, soon become more intimate, and start to make out. Jiang verbally expresses his desire to have sex with Beth. Beth, who was abused by a babysitter at the age of five and avoids sexual relations as a result, is shocked at how quickly things are progressing. As Jiang takes her by the wrist over to the bed, lays her down, undresses, and begins to have intercourse with Beth, Beth has a severe flashback to her childhood



trauma. She wants to tell Jiang to stop but cannot. Beth is stiff and unresponsive during the intercourse.

### **Examples of Retaliation:**

- A faculty member alleges gender inequity in pay within her department; the Department Chair then revokes his approval for her to attend a national conference, citing the faculty member's tendency to "ruffle feathers."
- A student from Organization A participates in a sexual misconduct investigation as a witness whose testimony is damaging to the Respondent, who is also a member of Organization A; the student is subsequently removed as a member of Organization A because of their participation in the investigation.

## **39. APPENDIX B: Protected Class/Characteristic Definitions**

This list is not exhaustive and is intended to provide an overview of each protected characteristic/class. New case law and legislation can impact these definitions.

Age refers to any employee age 40 and over and any age for students.

Ancestry: refers to the country, nation, tribe or other identifiable group of people from which a person descends. It can also refer to the physical, cultural or linguistic characteristics of the person's ancestors.

Arrest and conviction record. Arrest refers to a person has been questioned, apprehended, taken into custody or detention, held for investigation, arrested, charged with, indicted or tried for any felony, misdemeanor or other offense. A conviction record is information indicating that a person has been convicted of any felony, misdemeanor or other offense, been judged delinquent, has been less than honorably discharged, or has been placed on probation, fined, imprisoned or paroled by any law enforcement or military authority.

Color refers to a person's skin color.

Creed refers to a system of religious beliefs, including moral or ethical beliefs about right and wrong that are sincerely held with the strength of traditional religious views."

Disability, as defined under the Wisconsin Fair Employment Act, refers to any employee who has a physical or mental impairment that makes achievement unusually difficult or limits the capacity to work, has a record of such an impairment, or is



perceived as having such an impairment. As it applies to students and employees, it also refers to a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.

Gender identity or expression refers to a person's self-identified gender, which may or may not correspond with their birth sex

Marital status refers to the status of being married, single, divorced, separated, or widowed. Going through a divorce or filing for divorce does not change an individual's marital status from being married.

Membership in any reserve component of the armed forces

Union affiliation refers to membership status in or association with a union.

National origin refers to a person's, or his or her ancestor's, country of birth or because a person has physical, cultural or linguistic characteristics of a national origin group.

Parental status refers to an employee is married or single, or whether they have children or not. In some cases, parental status can be found to be sex-based discrimination.

Pregnancy refers to pregnancy, child- birth, termination of pregnancy, or recovery therefrom and, for employees, a past or potential pregnancy and birth control use.

Political affiliation refers to an employee declining to attend a meeting or to participate in any communication from an employer about religious matters or political matters.

Race refers to a group of people united or classified together based on a common history, nationality or geography. It includes all races, not just members of a racial minority. Racial groups include American Indian or Alaska Native, Asian, Native Hawaiian or Pacific Islander, Black or African American, and White. Bi-racial and multi-racial designations are also recognized.

Religion refers to traditional religions, such as Buddhism, Christianity, Hinduism, Islam, and Judaism, and newer or less common religions, such as Rastafarianism. The law also protects people who do not have religious beliefs.

Sex refers to being male, female, or intersex.



Sexual orientation refers to heterosexuality, homosexuality, bisexuality, or asexuality, whether actual or perceived, and, as having a history of such a preference or being identified with such a preference.

Military service refers to veteran status (including disabled veteran; recently separated veteran; active-duty, wartime, or campaign badge veteran; and Armed Forces Service Medal veteran).

Viewpoint expression refers to written, verbal, artistic, and other expression of a point of view on any given topic.





# H-120: Equity Resolution Procedure

## Contents

1.	<a href="#">Complaints Under This Procedure</a>	3
2.	<a href="#">Initial Assessment</a>	3
	<a href="#">No Contact Orders</a>	5
3.	<a href="#">Resolution Options</a>	5
a.	<a href="#">Informal Resolution</a>	5
b.	<a href="#">Formal Resolution (Investigation)</a>	7
4.	<a href="#">Impermissible Questions and Inquiries</a>	9
5.	<a href="#">Delivery of Case Correspondence</a>	10
6.	<a href="#">Notice of Meetings</a>	10
7.	<a href="#">Dismissal of a Complaint</a>	10
8.	<a href="#">Crossclaims</a>	11
9.	<a href="#">Consolidation of Complaints</a>	11
10.	<a href="#">Delays in the Process and Interactions with Law Enforcement</a>	11
11.	<a href="#">Supportive Measures</a>	11
12.	<a href="#">Emergency Removal</a>	12
	<a href="#">Students</a>	12
	<a href="#">Employees</a>	12
13.	<a href="#">Recording Prohibited</a>	13
14.	<a href="#">Witnesses</a>	13
15.	<a href="#">Advisors</a>	13
	<a href="#">Advisor's Role</a>	13
16.	<a href="#">Sanctions</a>	15
17.	<a href="#">Failure to Complete Sanctions</a>	17
18.	<a href="#">Long-Term Remedies/Actions</a>	17
19.	<a href="#">Withdrawal or Separation During Resolution Proceedings</a>	18
20.	<a href="#">Appeals</a>	18
	<a href="#">What Can Be Appealed</a>	18
21.	<a href="#">Grounds for Appeal Appeals are limited to the following grounds:</a>	20
22.	<a href="#">Statement of the Rights of the Parties</a>	20
23.	<a href="#">Disabilities Accommodation in the Equity Resolution Procedure</a>	21
24.	<a href="#">Student's Right to Appeal a Removal or Expulsion in Certain Circumstances</a>	21





<a href="#">Conduct of Hearing</a> .....	22
<a href="#">25. Revision</a> .....	24

Gateway Technical College, through its Office for Equal Opportunity and Civil Rights, will act on any report received alleging a violation of policy H-110: Equal Opportunity, Civil Rights, and Sexual Harassment (also referred to as the nondiscrimination policy).

When a discrimination complaint alleges that Gateway's policy or practice discriminates on the basis of any protected class/characteristic, Gateway is not considered a respondent.

For the purposes of this procedure, the title of Director of Compliance is used throughout. The Director of Compliance also serves as Gateway's Title IX Coordinator. For definitions of important terms, please see policy H-110: Equal Opportunity, Civil Rights, and Sexual Harassment.

## **1. Complaints Under This Procedure**

The following persons have a right to make a complaint of sex and other protected class/characteristic discrimination, excluding complaints of sex-based harassment, requesting that Gateway investigate and make a determination about alleged discrimination and harassment:

- A complainant.
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant.
- The Director of Compliance, under the conditions outlined in this procedure.

With respect to complaints of sex and other protected class/characteristic discrimination other than sex-based harassment, in addition to the persons listed above:

- Any student or employee.
- Any person other than a student or employee who was participating or attempting to participate in Gateway's education program or activity at the time of the alleged sex discrimination.

In addition, anyone may make a report (as opposed to a complaint) about any type of discrimination and harassment.

Title IX sexual harassment allegations that fall under 34 CFR 106 (Nondiscrimination on the basis of sex in education programs and activities receiving federal financial assistance), as well as cases that include such allegations in addition to any other protected class discrimination arising from the same set of facts (known as mixed motive cases), are all resolved using the grievance process that complies with 34 CFR 106.45 as described in policy H-130: Title IX Grievance Procedure. This means that allegations that are defined as sexual harassment (to include dating violence, domestic violence, sexual assault, and stalking) but are dismissed under Title IX may be processed under this policy.





## 2. Initial Assessment

Upon receipt of a complaint of any alleged violation of Policy H:110: Equal Opportunity, Civil Rights, and Sexual Harassment, the Office for Equal Opportunity and Civil Rights conducts an initial assessment to determine if the conduct, as alleged and if proven, would reasonably constitute a violation of Gateway's policy. Stated another way, the initial assessment determines if there's reasonable cause to believe that the conduct, as alleged and taken as accurate, would be a violation of Gateway's nondiscrimination policy. Reasonable cause means a state of facts found to exist that would warrant a reasonably intelligent and prudent person to believe that the policy was violated.

The initial assessment is generally completed within seven (7) business days and may include the following steps:

- Review of the complaint, any available evidence, and any relevant prior reports.
- Offer supportive measures to the complainant.
- Interview the complainant if necessary to make a determination.
- Review the nondiscrimination policy provision(s) relating to the allegations.

Supportive measures, which are not shared with the other parties in a case except in limited circumstances allowed by law, are offered to and implemented as requested and appropriate for the complainant. The complainant has a right to seek modification or reversal of the decision to provide, deny, modify, or terminate supportive measures (see provision #11 for details on supportive measures).

In addition, depending on the circumstances, the free speech rights of employees, the public, and students are considered as part of the initial assessment.

If, upon completion of the initial assessment, the Director of Compliance determines the conduct, as alleged, would reasonably constitute a violation of Gateway's policy, the Director of Compliance will discuss informal and formal resolution options with the complainant.

If, upon completion of the initial assessment the Director of Compliance determines the conduct, as alleged, would not reasonably constitute a violation of Gateway's policy, or the alleged conduct was committed by someone who is not a member of the college community or did not occur in the context of Gateway's programs and activities and has no adverse educational and employment impact, supportive measures are offered to the complainant.

Complaints may be dismissed in accordance with provision #7 of this procedure.

In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, the Director of Compliance will determine whether to initiate a complaint that complies with relevant law. To make this fact-specific determination the Director of Compliance must consider, at a minimum, the following factors:

- The complainant's request not to proceed with initiation of a complaint.
- The complainant's reasonable safety concerns regarding initiation of a complaint.



- The risk that additional acts of discrimination would occur if a complaint is not initiated.
- The severity of the alleged discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence.
- The age and relationship of the parties, including whether the respondent is an employee of Gateway.
- The scope of the alleged discrimination, including information suggesting a pattern, ongoing discrimination, or discrimination alleged to have impacted multiple individuals.
- The availability of evidence to assist a decisionmaker in determining whether discrimination occurred.
- Whether Gateway could end the alleged discrimination and prevent its recurrence without initiating its grievance procedures.

If, after considering these and other relevant factors, the Director of Compliance determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or that the conduct as alleged prevents Gateway from ensuring equal access on the basis of a protected class/characteristic to its education program or activity, the Director of Compliance may initiate a complaint. If initiating a complaint under this section, the Director of Compliance will notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety or the safety of others, including by providing supportive measures.

### **No Contact Orders**

At this time and anytime during a resolution process, the Director of Compliance may determine that a no contact order be issued, based on the following criteria:

- The need expressed by the complainant or respondent.
- The ages of the parties involved.
- The nature of the allegations and their continued effects on the complainant or respondent.
- Whether the parties continue to interact directly in Gateway's education program or activity, including through student employment, shared residence or dining facilities, class, or campus transportation.
- Whether steps have already been taken to mitigate the harm from the parties' interactions, such as implementation of a civil protective order.

### **3. Resolution Options**

There are primarily two resolution options for resolving complaints under this procedure: informal and formal resolution.

#### **a. Informal Resolution**

Informal resolution is initiated upon a report of an allegations and does not require a complaint be filed to offer this option. The decision to offer an Informal resolution is at the discretion of the Director of Compliance based on the nature of the allegations, including in





situations where the respondent admits responsibility for the alleged conduct. This resolution option is available by the voluntary consent and agreement of all parties. Engaging in an informal resolution process does not waive a complainant's right to an investigation and determination of a complaint as a condition of enrollment or continuing enrollment, or employment or continuing employment, or exercise of any other right.

The informal resolution facilitator cannot have a conflict of interest and must be properly trained.

Before initiation of an informal resolution process, The Director of Compliance, or designee, will send a Notice of Informal Resolution that includes, at a minimum, the following:

- The allegations.
- The requirements of the informal resolution process.
- That, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume Gateway's grievance procedures.
- That the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming grievance procedures arising from the same allegations.
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties.
- What information Gateway will maintain and whether and how Gateway could disclose such information for use in grievance procedures, if grievance procedures are initiated or resumed.

Upon completion of the informal resolution process, the parties reach an agreement which is only binding on the parties involved in the informal resolution. Potential terms of an informal resolution agreement may include but are not limited to, restrictions on contact and restrictions on the respondent's participation in one or more of Gateway's programs or activities or attendance at specific events, including restrictions Gateway could have imposed as remedies or disciplinary sanctions had Gateway determined that sex discrimination occurred under Gateway's grievance procedure.

Oftentimes, individuals choose informal resolution options because it is a more restorative resolution and can be completed quicker than a formal resolution, though it is no less significant than a formal resolution procedure. If an Informal Resolution option is preferred and appropriate, the Director of Compliance assesses which informal resolution process may serve the situation best or is available and may seek to determine if the respondent is also willing to engage in Informal Resolution.

Records and agreements developed as part of the informal resolution are maintained and may be used as part of the formal resolution process, if applicable.



## b. Formal Resolution (Investigation)

An adequate, reliable, and impartial investigation is initiated upon receipt of a complaint and the completion of an initial assessment that indicates there's reasonable cause to believe that the conduct, as alleged and taken as accurate, would be a violation of Gateway's nondiscrimination policy. A formal investigation is also referred to as the resolution process and it is the responsibility of Gateway to conduct an investigation that gathers sufficient evidence to determine whether discrimination occurred.

Gateway promptly resolves complaints which can take 60-90 business days, though the time frame depends on the complexity and number of the allegations, the availability and accessibility of witnesses and evidence, and the need for language assistance, among other factors. Complaints that involved sex-based harassment involving at least one student party, which requires a hearing, are generally resolved within 120 business day. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but Gateway will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in Gateway's procedures will be delayed, Gateway will provide written notice to the parties of the delay, the cause for the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

The following steps are usually taken during the formal resolution process.

- The Director of Compliance, or designee, will send a Notice of Investigation and Allegations to all parties whose identities are known. This notice must contain the following information, at a minimum:
  - Gateway's grievance procedures.
  - Sufficient information available at the time to allow the parties to respond to the allegations. Sufficient information includes the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination under Title IX or this part, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to Gateway.
  - A statement that retaliation is prohibited, and
  - A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence; and if Gateway provides a description of the evidence, the parties are entitled to an equal opportunity to access to the relevant and not otherwise impermissible evidence upon the request of any party.
  - In cases involving allegations of sex-based harassment involving at least one student party, additional notice requirements as listed in provision #26.
- If, in the course of an investigation, Gateway decides to investigate additional allegations of discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is





consolidated, Gateway must provide notice of the additional allegations to the parties whose identities are known.

- The Director of Compliance will assign an investigator or a pair of investigators to conduct the investigation. In many cases, as appropriate, the Director of Compliance conducts the investigation. The investigator assigned to conduct the investigation will be adequately trained to ensure a fair, thorough, and impartial investigation, free of bias and conflicts of interest.
- In cases except sex-based harassment involving at least one student party, prior to and during the investigation, when credibility is a factor and relevant to one or more allegations of discrimination, the parties may submit questions to the investigator to ask the other party. The responses to these questions are incorporated in the investigation report.
- The investigator will interview all available complainants, any relevant witnesses, including those provided by any party, the respondent(s), and any other relevant individual(s) as determined by the investigator.
- Each party is provided an opportunity to review and verify the investigator's interview summary notes of the relevant evidence/testimony from their respective interviews and meetings.
- During the process, each party has an opportunity to present fact witnesses and other inculpatory (evidence that tends to prove the truth of the allegations) and exculpatory evidence that tends to disprove the truth of the allegations) evidence that are relevant (related to the allegations of discrimination under investigation and will aid a decisionmaker in determining whether the alleged sex discrimination occurred) and not otherwise impermissible.
- Prior to the conclusion of the investigation, and at the request of any party, provide the parties with a list of witnesses whose information will be used to render a finding.
- Provide each party with a comprehensive investigation report fully summarizing the investigation, including all interviews, and addressing all relevant evidence. Appendices including relevant evidence will be included.
- Prior to the conclusion of the investigation, provide the parties an electronic draft investigation report that includes all relevant evidence, and provide five (5) calendar days to review and respond to the draft report. The parties may elect to waive the five (5) days and accept the draft report as written. Any party can request up to an additional five (5) days to review the report with good cause, as determined by the Director of Compliance. The draft report generally does not contain the findings of facts, analysis, or conclusion though these are completed in the final report.
- Incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The investigator(s) should document all rationales for any changes made after the review and comment period.





- Submit the final report for the review and approval of the final investigation report by the next-level official (e.g. the Equal Opportunity Officer if the Director of Compliance conducts the investigation).
- Share the final report, including the outcome of the investigation and appeal options, electronically simultaneously with all parties.
- In cases where a policy violation is determined using the preponderance of evidence standard (more likely than not to have occurred or not occurred) and sanctions are implemented, the Director of Compliance, generally in coordination with other relevant officials (e.g. campus dean, human resources), implements them upon completion of the investigation, or, in cases of sex-based harassment involving at least one student party, the hearing. In addition, Gateway will promptly implement effective remedies designed to end the discrimination, prevent recurrence, and address the effects of discriminatory conduct.
- Provide the parties an opportunity to appeal the outcome of the investigation consistent with this procedure.

Neither the investigation nor the decisionmaker will consider:

- Incidents not directly related to the possible violation, unless they evidence a pattern.
- The character of the parties.

In cases where Gateway is the respondent in a pattern or practice case, the investigative report may not include all the elements listed in this section.

Gateway maintains considerable latitude in regard to which steps of the process to follow and the final composition of the investigative report in all cases except sex discrimination.

#### 4. Impermissible Questions and Inquiries

Gateway and parties cannot make inquiries or consider or seek evidence of any party that relate to:

- Irrelevant information (any information that does not aid in showing whether the alleged allegations occurred).
- Evidence that is protected under a privilege as recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality.
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless Gateway obtains that party's or witness's voluntary, written consent for use in Gateway's grievance procedures, and
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific







incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Any impermissible evidence obtained by Gateway for the purpose of evaluating it for permissibility must not be accessed or considered, must not be disclosed; and must not otherwise be used regardless of relevance.

## 5. Delivery of Case Correspondence

Notices and other case correspondence are made in writing and sent through the college's case management system, Maxient, to the employee or student's official college email address. Should a party not respond to the letter timely, then additional notification methods will be utilized. Once the notice is mailed, emailed, and/or received in-person, notice will be presumptively delivered. If an individual is known to no longer be an employee or student, notices are mailed to their last known address on file.

## 6. Notice of Meetings

Gateway will make every effort to provide parties with a written notice of the date, time, location, participants, and purpose of all meetings and proceedings with sufficient time to prepare to participate. In situations of sex-based harassment allegations involving at least one student party, Gateway must provide such notice for all meetings.

## 7. Dismissal of a Complaint

Gateway may dismiss a complaint of discrimination made through its grievance procedures for any of the following reasons:

- Gateway is unable to identify the respondent after taking reasonable steps to do so.
- The respondent is not participating in Gateway's education program or activity and is not employed by Gateway.
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Director of Compliance declines to initiate a complaint in the absence of a complaint or a withdrawal of any or all of the allegation by a complainant, and Gateway determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute discrimination, even if proven.
- Gateway determines the conduct alleged in the complaint, even if proven, would not constitute discrimination.

Prior to dismissing the complaint under this section, Gateway must make reasonable efforts to clarify the allegations with the complainant.

In dismissals in which the respondent has been notified of the allegations, Gateway will offer supportive measures to the respondent as appropriate.



Upon dismissal of the complaint, the Director of Compliance will provide the parties, simultaneously, with written notice of the dismissal and the basis for the dismissal. When dismissing a complaint, except if the dismissal occurs before the respondent has been notified of the allegations, Gateway must provide such written notice only to the complainant.

### 8. Crossclaims

Gateway permits the filing of counterclaims; however, such claims should not be filed for retaliatory purposes.

### 9. Consolidation of Complaints

Gateway may consolidate complaints of discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of discrimination arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references to a party, complainant, or respondent include the plural, as applicable.

### 10. Delays in the Process and Interactions with Law Enforcement

The College may undertake a short delay in its investigation (several days to weeks) if circumstances require. Such circumstances include, but are not limited to, concurrent law enforcement activity, the need for language assistance, the absence of parties and/or witnesses, and/or accommodation for disabilities or health conditions. The Director of Compliance will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary and will promptly resume its investigation and resolution process as soon as feasible. During such a delay, Gateway will implement interim actions as deemed appropriate.

Gateway allows reasonable extension of timeframes on a case-by-case basis for good cause with written notice to the parties that includes the reason for the delay.

College action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

### 11. Supportive Measures

Gateway's Office for Equal Opportunity and Civil Rights offers and implements appropriate and reasonable responsive supportive measures to complainants upon a report or complaint of alleged harassment, discrimination, and/or retaliation regardless of whether a resolution option is initiated. In addition, supportive measures are available to students subject to certain conduct that occurs off-campus but impacts their education (e.g. sexual assault, stalking, dating/domestic violence).

The Director of Compliance offers and coordinates supportive measures. In addition, if Gateway has initiated grievance procedures or offered an informal resolution process to the respondent, Gateway will offer and coordinate supportive measures for the respondent; either at that time or in the future, if not done so already. The Director of Compliance may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance





procedures or at the conclusion of the informal resolution process, or may continue them beyond that point depending on the circumstances and at the discretion of the Director of Compliance.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and as reasonably available. They are offered, without fee or charge to the parties, to restore or preserve access to Gateway's education program or activity, including measures designed to protect the safety of all parties and/or the Gateway's educational environment and/or to deter harassment, discrimination, and/or retaliation Referral to counseling, medical, and/or other health services.

Supportive measures may vary depending on what Gateway deems to be reasonably available. These measures may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment

## 12. Emergency Removal

### Students

Gateway may remove a respondent from Gateway's education program or activity on an emergency basis. To do so, Gateway undertakes an individualized safety and risk analysis and determines that the respondent poses an imminent and serious threat to the health or safety of a complainant or any students, employees, or other persons arising from the allegations of discrimination, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. The challenge should be emailed to the Director of Compliance at [compliance@gtc.edu](mailto:compliance@gtc.edu) within five (5) business days of the notice of removal and will be evaluated and decided by an official not involved in the decision to make the emergency removal. Students facing emergency removal and who challenge such a removal have a right to a hearing under provision #26 of this procedure.

### Employees

Gateway may place an employee respondent on administrative leave, with or without pay, during the pendency of a grievance procedure, with or without an individualized safety assessment.

## 13. Recording Prohibited

No unauthorized audio or video recording of any kind is permitted during investigation meetings or other Equity Resolution Procedure proceedings without the express permission of the Director of Compliance.





## 14. Witnesses

Witnesses (as distinguished from the parties) are expected to cooperate with and participate in the College's investigation and the Equity Resolution Procedure. Failure of an employee witness to cooperate with and/or participate in the investigation or Equity Resolution Procedure constitutes a violation of this provision and may be subject to discipline.

While in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determines that timeliness or efficiency dictate a need for remote interviewing. Gateway will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Student witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, with the permission of the investigator. Employee witnesses and parties may supplement their interview with a written statement at their discretion.

## 15. Advisors

Though not a requirement for non-sexual harassment cases, the college has extended this option to parties involved in non-Title IX grievance procedures.

An advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of the Gateway community.

Gateway cannot guarantee equal advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, Gateway is not obligated to provide an attorney.

### Advisor's Role

The parties may be accompanied by their advisor in all meetings and interviews at which the party is entitled to be present, including intake interviews. The advisor provides process and emotional support to the party they assist.

### Advisor Violations of Gateway Policy

All advisors are subject to the same Gateway's policies and procedures, whether they are attorneys or not, and whether they are selected by a party or assigned by the College. Advisors are expected to advise their advisees without disrupting the meeting.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the advisor generally may not speak on behalf of their advisee, the advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their advisors should ask for breaks to allow for private consultation.



Any advisor who oversteps their role as defined by this procedure will be warned only once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Director of Compliance will determine how to address the advisor's non-compliance and future role in the resolution process.

### **Sharing Information with the Advisor**

Gateway expects that the parties may wish to have Gateway share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the Resolution Process.

If a party requests that all communication be made through their attorney advisor, Gateway will generally comply with that request subject to the discretion of the Director of Compliance.

### **Expectations of the Advisor**

Gateway expects an advisor to adjust their schedule to allow the advisor to attend Gateway meetings when planned but may change scheduled meetings to accommodate an advisor's inability to attend, if doing so does not cause an unreasonable delay.

Gateway may also make reasonable provisions to allow an advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

### **Expectations of the Parties with Respect to Advisors**

The parties are expected to inform the investigator(s) of the identity of their advisor at least two (2) business days before the date of their first meeting with investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

A party may elect to change advisors during the process and is not obligated to use the same advisor throughout the resolution process. The parties are expected to provide timely notice to the Director of Compliance if they change advisors at any time. It is assumed that if a party changes advisors, consent to share information with the previous advisor is terminated, and a release for the new advisor should be secured. In cases of sex-based harassment involving at least one student party, the parties are expected to inform the Director of Compliance of the identity of their hearing advisor, if different from their process advisor, as far in advance as possible, but no less than ten (10) business days before the hearing.

As a public entity, Gateway fully respects the Weingarten rights of employees. For parties who are entitled to union representation, Gateway will allow the unionized employee to have their union representative (if requested by the party) as well as an advisor of their choice present for all resolution-related meetings and interviews. To uphold the principles of equity, the other party (regardless of union membership) will also be permitted to have two advisors.

Witnesses are not permitted to have union representation or advisors in resolution process interviews or meetings.





## 16. Sanctions

Sanctions are consequences imposed by Gateway following a determination under this procedure that the respondent violated policy H:110: Equal Opportunity, Civil Rights, and Sexual Harassment. The intent of sanctions is not punitive but is done with the goal of stopping and preventing discrimination. Factors considered when determining a sanction may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation.
- An individual's disciplinary history.
- Previous findings of a policy violation involving similar conduct.
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment and/or retaliation.
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment and/or retaliation.
- The need to remedy the effects of the discrimination, harassment and/or retaliation on the complainant and the community.
- Any other information deemed relevant by the Director of Compliance.

These factors can modify the typical sanction range.

The following are the common sanctions that may be imposed upon students singly or in combination, depending on the nature and facts of a specific claim:

- Educational Activity: Assignment of an appropriate educational activity, such as a webinar, reading, training, etc., that creates awareness and spurs behavioral change.
- Warning: A formal statement that the conduct was unacceptable and a warning that further violation of any Gateway policy, procedure, or directive will result in more severe sanctions/responsive actions.
- Restriction: A limitation on the student's access to identified services, locations, education, community activities or persons. Issued for a specified time frame.
- Restitution: Issued to a student who has committed a violation of this procedure that resulted in staff, institutional or another student's financial loss. May be issued as a condition of return or continued attendance in the college.
- Referral: Issued to a student who has committed a violation of this procedure, and it is determined that continued participation at the college is contingent upon the student attending designated services (college or private vendor) or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return to or continued attendance at the College.





- **Loss of Privileges:** Issued to a student who has committed a violation of this procedure, and it is determined that the student may continue attendance at the College with permanent or temporary limitations on the student's access to identified services, locations, or educational community activities.
- **No Contact:** Issued to a student who has committed a violation of this procedure, and it is determined that the student may continue attendance at the College with permanent or temporary limitations on the student's access to or contact with an identified individual or group(s) of student and/or staff.
- **Disciplinary Probation:** Issued to a student who has committed a violation of this procedure and will face additional sanctions if any additional violations occur during a specified time frame.
- **Expulsion/Dismissal:** Permanent removal, issued to a student who has committed a major, egregious or continued violation(s) of this procedure.
- **Other Actions:** In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

Sanctions for an employee who has engaged in discrimination, harassment, and/or retaliation include:

- **Training:** Assignment of an appropriate training program (webinar, in-person event, etc.) that creates awareness and spurs behavioral change.
- **Warning:** A formal statement that the conduct was unacceptable and a warning that further violation of any Gateway policy, procedure, or directive will result in more severe sanctions/responsive actions.
- **Restriction:** A limitation on the employee's access to identified services, locations, or persons. Issued for a specified time frame.
- **Restitution:** Issued to an employee who has committed a violation of this procedure that resulted in staff, institutional or student's financial loss. May be issued as a condition of return or continued employment in the College.
- **Referral:** Issued to an employee who has committed a violation of this procedure, and it is determined that continued employment at the College is contingent upon the employee attending designated services or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return or continued employment at the College.
- **Loss of Privileges:** Issued to an employee who has committed a violation of this procedure, and it is determined that the employee may continue employment at the College with permanent or temporary limitations on the employee's access to identified services, locations, or College activities.
- **No Contact:** Issued to an employee who has committed a violation of this procedure, and it is determined that the employee may continue employment at the college with







permanent or temporary limitations on the employees' access to or contact with an identified individual(s) or groups of student and/or staff.

- **Disciplinary Probation:** Issued to an employee who has committed a violation of this procedure and will face additional sanctions if any additional violations occur during a specified time frame.
- **Termination of employment:** Permanent termination of employment for an employee who has committed a major, egregious or continued violation(s) of this procedure.
- **Other Actions:** In addition to or in place of the above sanctions, the College may assign any other sanctions as deemed appropriate.

Generally, sanctions range from a verbal warning to expulsion from the college, based on the offense and the factors noted above in addition to any mitigating, aggravating, and/or compounding factors.

The college retains the right to issue sanctions outside the identified range depending on the individual circumstances.

Students and employees must satisfy all requirements imposed at the time of the sanction to remove the sanction(s).

## **17. Failure to Complete Sanctions**

All responding parties are expected to comply with conduct sanctions within the timeframe specified by the Director of Compliance or, in sex-based harassment allegations involving at least one student party, the administrative law judge. Failure to abide by the sanction(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from Gateway. Supervisors are expected to enforce completion of sanctions for their employees.

## **18. Long-Term Remedies/Actions**

Following the conclusion of the Equity Resolution Procedure and in addition to any sanctions implemented, the Director of Compliance may utilize long-term remedies or actions to stop discrimination, harassment, sex-based harassment or retaliation, remedy their effects on the individual and college community, and prevent their reoccurrence. These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the community
- Permanently altering work arrangements for employees
- Providing campus escorts







- Policy modification
- Implementing long-term contact limitations between the parties
- Offering adjustments to academic deadlines, course schedules, etc.

At the discretion of the Director of Compliance, long-term remedies may also be provided even when the respondent is found not responsible.

## 19. Withdrawal or Separation During Resolution Proceedings

### Students

Should a respondent decide not to participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student respondent permanently withdraw from Gateway, the resolution process may continue, and any sanction must be completed prior to that student being reinstated. The Registrar's Office will place a hold on a student's account in such circumstances. This hold prevents the student from re-enrolling in any college program.

Regardless of whether the matter is dismissed or pursued to completion of the resolution process, Gateway will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. These actions are coordinated by the Director of Compliance, often in collaboration with other college departments. Such exclusion applies to Gateway locations.

### Employees

Should an employee respondent resign with unresolved allegations pending, the resolution process may continue, and any sanction must be completed prior to that student being reinstated.

Regardless of whether the matter is dismissed or pursued to completion of the Resolution Process, Gateway will continue to address and remedy any systemic issues or concerns that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

The employee who resigns with unresolved allegations pending is not eligible for rehire with Gateway, and the records retained by the Director of Compliance and Human Resources will reflect that status.

## 20. Appeals

### What Can Be Appealed

- Dismissals of allegations
- Outcome of an investigation or hearing





## **Filing an Appeal**

Any party may [submit a request for appeal \("Request for Appeal"\) online](#) within five (5) business days of the receipt of the Outcome Letter. If the individual is unable to submit a request using the online appeal form, the appeal request should be emailed to [compliance@gtc.edu](mailto:compliance@gtc.edu).

## **Appeal Review and Disposition**

The Director of Compliance will forward the Request for Appeal to the Appeal Decision-maker for consideration to determine if the request meets the grounds for appeal (a Review for Standing). A single Appeal Decisionmaker, who is an investigator not involved with the current resolution process, will review the appeal request.

This initial review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

When the Appeal Decisionmaker finds that at least one of the grounds is met by at least one party, additional principles governing the review of appeals include the following:

- Decisions by the Appeal Decisionmaker are to be deferential to the original determination, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is compelling justification to do so.
- Appeals are not a full re-hearing (de novo) of the allegation(s). In most cases, appeals are limited to a review of the written documentation or record of the investigation and pertinent documentation regarding the grounds for appeal.
- An appeal is not an opportunity for the Appeal Decisionmaker to substitute their judgment for that of the original Investigator(s) or Director of Compliance merely because they disagree with the finding and/or sanction(s).
- Appeals granted based on new evidence should normally be remanded (sent back) to the original Investigator(s) for reconsideration. Other appeals should be remanded at the discretion of the Appeal Decisionmaker.

For students: Graduation, study abroad, internships/ externships, etc., do NOT in and of themselves constitute exigent circumstances, and students may not be able to participate in those activities during their appeal.

In rare cases when a procedural or substantive error cannot be cured by the original investigator(s) and/or Director of Compliance (as in cases of bias), the Appeal Decisionmaker may recommend a new investigation, including a new decisionmaker.

The results of a new formal resolution process can be appealed once, on any of the three applicable grounds for appeals. Once an appeal is decided, the outcome is final; further appeals are not permitted, even if a decision or sanction is changed on remand. However, other available processes may still be pursued (e.g. those found in the employee handbook).





In cases in which the appeal results in respondent's reinstatement to the Gateway or resumption of privileges, all reasonable attempts will be made to restore the respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

Once an appeal has been reviewed and a decision rendered, the Director of Compliance will simultaneously notify the parties of the result of the appeal and the rationale for the decision.

Employees have additional appeal rights regarding adverse employment actions that are outlined in Gateway's Employee Handbook. Nothing in this procedure prevents an employee from utilizing those rights upon completion of the resolution process.

## 21. Grounds for Appeal

Appeals are limited to the following grounds:

- Procedural irregularity that would change the outcome.
- New evidence that would change the outcome and that was not reasonably available when the determination whether discrimination or harassment occurred, or dismissal was made.
- The Director of Compliance, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome. If any of the grounds in the Request for Appeal do not meet the grounds in this procedure, then the Appeal Decisionmaker will notify all parties, the Director of Compliance, and, when appropriate, the Investigator(s).

The above three grounds are the only grounds for appeal. The party filing the appeal must cite the specific grounds for appeal and adequately explain the reason for their appeal in their request.

## 22. Statement of the Rights of the Parties

In addition to the rights of the parties laid out elsewhere in this procedure, both the complainant and the respondent shall have the right to:

- Be informed in advance, when possible, of any public release of information regarding the incident.
- Be treated equitably and with respect by College officials.
- Have College policies and procedures followed without material deviation and transparent to all parties.
- Have reports of sex-based harassment and/or discrimination responded to promptly and with sensitivity by campus officials.
- Be notified in writing of available counseling, mental health, victim advocacy, health, legal assistance, student financial aid, visa and immigration assistance, or other student





services, both on campus and within the larger community and provided a link to Gateway's [Notification of Rights and Options](#).

- Be fully informed of campus policies and procedures as well as the nature and extent of all alleged violations contained within a complaint.
- Be informed of the names of all witnesses whose information will be used to render a finding, in advance of that finding, except in cases where a witness's identity will not be revealed to a party for compelling safety reasons (this does not include the name of the complainant, which will always be revealed).
- Regular updates on the status of the investigation and/or resolution.
- Meetings and/or interviews that are closed to the public.
- Submit a written statement describing the impact of the alleged discrimination/harassment to the civil rights investigator following determination of responsibility, but prior to sanctioning.

In addition, the complainant shall have the right to:

- Not be discouraged by College officials from reporting discrimination and harassment to both on-campus and off-campus authorities.
- Be informed by College officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the Complainant so chooses. This also includes the right not to be pressured to report, as well.

## 23. Disabilities Accommodation in the Equity Resolution Procedure

Gateway is committed to providing qualified students, employees or others with disabilities with reasonable accommodations and support needed to ensure equal access to the Equity Resolution Procedure at the College. Students needing such accommodations or support should contact the Director of Compliance, and employees should contact the Director of Compliance, who will review the request and, in consultation with the person requesting the accommodation, and the Director of Compliance, determine which accommodations are appropriate and necessary for full participation.

## 24. Student's Right to Appeal a Removal or Expulsion in Certain Circumstances

Only in circumstances where 1) the formal resolution procedure has resulted in a finding that a student respondent violated policy H-110 and the sanction includes expulsion, and 2) the allegations were not adjudicated through a hearing process, prior to the implementation of the expulsion, the student may file a written request for a hearing. That request should be made to the Director of Compliance at [compliance@gtc.edu](mailto:compliance@gtc.edu) within five (5) days. Under such circumstances, the matter will proceed to a hearing on the issue of whether a preponderance of the evidence demonstrates that the respondent violated Policy H-110, and if so, what sanctions shall be implemented.





The Wisconsin Division of Hearings and Appeals (DHA) will conduct the hearing, provide notices, and coordinate hearing activity. In general, the DHA will adhere to the following principles:

- At least fourteen (14) calendar days prior to the hearing, or as far in advance as is reasonably possible, DHA will send a letter by at least one of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official College records; or emailed to the parties' College issued email account. The letter will include the following:
  - An indication that the parties may have the assistance of an advisor of their choosing, at the hearing, though the advisor's attendance at the hearing is the responsibility of the respective parties.
  - The time, date and location of the hearing.
  - A copy of the investigation determination, if one is available at the time of the hearing. For good cause, DHA may grant requests to reschedule the hearing date.
- At least seven (7) calendar days prior to the hearing, the parties provide the DHA a list of the names of the proposed witnesses and copies of all proposed documentary evidence. At least five (5) business days prior to the hearing, DHA will have the names of proposed witnesses and copies of all applicable documentary evidence available for the parties.
- DHA in consultation with the parties, the Director of Compliance, and the investigator(s), may decide in advance of the hearing that certain witnesses do not need to be physically present if their testimony can be adequately summarized by the Investigator in the investigation report or during the hearing. All parties will have ample opportunity to present facts and arguments in full and question all present witnesses during the hearing, though formal cross-examination is not used between the parties. If alternative attendance or questioning methods are desired, the parties should request them from DHA at least eight (8) business days prior to the hearing. Gateway will make reasonable accommodations for both parties in keeping with the principles of equity and fairness.

### **Conduct of Hearing**

- DHA shall preside over the hearing, call the hearing to order, ascertain the presence or absence of the Director of Compliance, investigator, and the parties, confirm receipt of the notice of hearing, report any extensions requested or granted, and establish the presence of any Advisors. Formal rules of evidence shall not apply during the hearing.
- Investigator's Report and Testimony: The investigator will first present the written investigative report, if available and applicable, and may give a narrative report of the investigation, and then be subject to questioning by the complainant, the respondent, and DHA administrative law judge. The investigator may also call witnesses who will be subject to questioning by the investigator, the complainant, the respondent and DHA. The investigator may also submit documentary evidence. The investigator(s) may





remain present during the entire hearing process, as determined by the DHA administrative law judge.

- **Complainant's Evidence:** The complainant may give testimony and be subject to questioning by the Investigator, the respondent (through the DHA administrative law judge) and administrative law judge. The complainant may also call and question witnesses who may also then be questioned by the respondent, the investigator and the DHA administrative law judge. The complainant may also submit documentary evidence.
- **Respondent's Evidence:** The respondent may give testimony and be subject to questioning by the investigator, the complainant (the DHA administrative law judge) and administrative law judge. The respondent may also call and question witnesses who may also then be questioned by the complainant, the investigator and the DHA administrative law judge. The respondent may also submit documentary evidence.

Additional Rights of the DHA administrative law judge – the DHA administrative law judge shall:

- Determine the relevancy and admissibility of any evidence offered at the hearing.
- Have the authority to exclude a witness proposed by the investigator or the parties if it is determined that his/her testimony would be redundant or not relevant.
- Have the authority to dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the DHA administrative law judge rulings.
- **Findings and Sanctions:** Following the hearing, DHA administrative law judge shall determine whether a preponderance of the evidence demonstrates that the respondent is responsible for the policy violations in question. If the respondent is found responsible, the DHA administrative law judge shall determine appropriate sanctions. The DHA administrative law judge will prepare a written report detailing the finding and information supporting the finding. If the respondent is found responsible, the report will conclude with the recommended sanctions.
- The DHA findings report shall be delivered to the investigator, the parties, and Director of Compliance within ten (10) calendar days of the hearing. Deviation from this timeline will be communicated to the investigator, Director of Compliance, and the parties. Notification will be made by at least one of the following methods: in person; mailed to the local or permanent address of the parties as indicated in official College records; or emailed to the parties' College issued email account.
- **Appeal of Hearing Findings and Sanctions:** All requests for appeal consideration must be submitted in writing to the Director of Compliance within ten (10) calendar days of the delivery of the written findings to the appealing party. Any party may appeal the findings and/or sanctions under the grounds described in provision #19 of this procedure except that a different DHA administrative law judge will consider the appeal.





## 25. Revision

These policies and procedures are reviewed and updated regularly by the Director of Compliance. The College reserves the right to amend this document as necessary and once those changes are posted on Gateway's website and published in MyPolicies, they are in effect. The Director of Compliance may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules, etc. The Director of Compliance may also vary procedures materially with notice (on the institutional web site, with appropriate date of effect identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this procedure and procedure. Procedures in effect at the time of the resolution will apply to resolution of incidents, regardless of when the incident occurred. The procedure in effect at the time of the offense will apply even if the procedure is changed subsequently but prior to resolution, unless the parties' consent to be bound by the current policy and procedure. If government regulations change in a way that impacts this document, this document will be construed to comply with government regulations in their most recent form.







## H-130 Title IX Grievance Procedure

The procedures described below apply to allegations of harassment or discrimination on the basis of an actual or perceived protected characteristic and retaliation involving students, staff or faculty members in a Gateway education program or activity. Title IX sexual harassment allegations that fall under the 2020 Title IX regulations, 34 CFR 106 (including sexual assault, dating violence, domestic violence, and stalking as described in policy H-110: Equal Opportunity, Civil Rights, and Sexual Harassment), involving students, staff, administrator, or faculty members. In addition, sexual harassment cases that include additional allegations of protected characteristic discrimination arising from the same set of facts (known as mixed motive cases), are all resolved using the grievance process that complies with 34 CFR 106.45. If allegations do not fall within Title IX and this procedure (e.g. they do not include allegations of sexual harassment or are fall under the mandatory or discretionary dismissal provision), the Equity Resolution Process described in H-120: Equity Resolution Procedure will be used, as determined by the Title IX Coordinator.

The procedures below may be used to address alleged collateral misconduct by the Respondent arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another), when alleged violations of the police are being addressed at the same time. In such cases, the Title IX Coordinator may consult with the campus officials typically overseeing such conduct (e.g., human resources, student conduct, academic affairs, etc.) to provide input as needed. All other allegations of misconduct unrelated to incidents covered by the Policy will be addressed through procedures elaborated in the student, faculty, and staff handbooks.

### 1. Notice/Complaint

Upon receipt of a complaint or notice of an alleged policy violation by the Title IX Coordinator, the Title IX Coordinator initiates a prompt initial assessment to determine the next steps Gateway needs to take. The Title IX Coordinator will contact the Complainant to offer supportive measures and determine whether the Complainant wishes to file a Formal Complaint.

The Title IX Coordinator will initiate at least one of three responses:

1. Offering supportive measures because the Complainant does not want to file a Formal Complaint
2. An Informal Resolution (upon submission of a Formal Complaint)
3. A formal grievance process including an investigation and a hearing (upon submission of a Formal Complaint)







Gateway uses a Formal Grievance Process as described below to determine whether or not the Policy has been violated. If so, Gateway will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to harassment or discrimination, their potential recurrence, and/or their effects.

## 2. Initial Assessment

Following receipt of notice or a complaint of an alleged violation of this Policy, the Title IX Coordinator engages in an initial assessment, which is typically one to five (1-5) business days in duration. The steps in an initial assessment can include:

- If notice is given, the Title IX Coordinator seeks to determine if the person impacted wishes to make a Formal Complaint, and will assist them to do so, if desired.
- If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint, because a violence risk assessment, indicates a compelling threat to health and/or safety or other justification supports initiating a complaint.
- If a Formal Complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.
- The Title IX Coordinator reaches out to the Complainant to offer supportive measures.
- The Title IX Coordinator works with the Complainant to ensure they are aware of the right to have an Advisor.
- The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an Informal Resolution option, or a formal investigation and grievance process.
- If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. If no Formal Grievance Process is initiated, the Complainant can elect to initiate one later, if desired.
- If an Informal Resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for Informal Resolution and may seek to determine if the Respondent is also willing to engage in Informal Resolution.
- If a Formal Grievance Process is preferred, the Title IX Coordinator determines if the alleged misconduct alleged falls within the scope of Title IX:
  - an incident, and/or
  - a pattern of alleged misconduct, and/or
  - a culture/climate issue, based on the nature of the complaint.
- If it does not, the Title IX Coordinator determines that Title IX does not apply (and will





“dismiss” that aspect of the complaint, if any), assesses which policies may apply, which Resolution Process is applicable, and will refer the matter accordingly.

## A. Violence Risk Assessment

In some cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the CARE Team as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

1. Emergency removal of a Respondent on the basis of immediate threat to physical health/safety.
2. Whether the Title IX Coordinator should pursue/sign a Formal Complaint absent a willing/able Complainant.
3. Whether to put the investigation on the footing of incident and/or pattern and/or climate.
4. To help identify potential predatory conduct.
5. To help assess/identify grooming behaviors.
6. Whether it is reasonable to try to resolve a complaint through Informal Resolution, and what modality may be most successful.
7. Whether to permit a voluntary withdrawal by the Respondent.
8. Assessment of appropriate sanctions/remedies (to be applied post-hearing); and/or
9. Whether a Clery Act Timely Warning/Trespass order/Persona-non-grata is needed.

Threat assessment is the process of evaluating the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A VRA is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

VRAs require specific training and are typically conducted by specially trained CARE Team Members. A VRA authorized by the Title IX Coordinator should occur in collaboration with CARE Team. Where a VRA is required by the Title IX Coordinator, a Respondent refusing to cooperate may result in a charge of failure to comply within the appropriate student or employee conduct process.

A VRA is not an evaluation for an involuntary behavioral health hospitalization (e.g., 5150 in California, Section XII in Massachusetts, Baker Act in Florida), nor is it a psychological or mental health assessment. A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

## B. Dismissal (Mandatory and Discretionary)

Gateway must dismiss a Formal Complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

1. The conduct alleged in the Formal Complaint would not constitute sexual harassment as defined in the Policy hereinabove, even if proved; and/or
2. The conduct did not occur in an educational program or activity controlled by Gateway (including buildings or property controlled by recognized student organizations), and/or Gateway does not have control of the Respondent; and/or





3. The conduct did not occur against a person in the United States; and/or
4. At the time of filing a Formal Complaint, a complainant is not participating in or attempting to participate in the education program or activity of Gateway.

Gateway may dismiss a Formal Complaint or any allegations therein if, at any time during the investigation or hearing:

1. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; or
2. The Respondent is no longer enrolled in or employed by Gateway; or
3. Specific circumstances prevent Gateway from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

Upon any dismissal, Gateway will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties along with information regarding Gateway's appeals process.

This dismissal decision is appealable by any party under the procedures for appeal below.

### 3. Counterclaims

Gateway is obligated to ensure that the grievance process is not abused for retaliatory purposes, thus counterclaims made with retaliatory intent will not be permitted. Gateway permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by the Respondent may be made in good faith, but are, on occasion, also made for the purpose of retaliation. Counterclaims made with retaliatory intent will not be permitted.

Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy and/or other Gateway policies and procedures.

### 4. Supportive measures

Gateway's Office for Equal Opportunity and Civil Rights offer and implement appropriate and reasonable responsive, supportive, and/or protective measures to reporting and responding parties upon notice of alleged harassment, discrimination, and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and as reasonably available. They are offered, without fee or charge to the parties, to restore or preserve access to Gateway's education program or activity, including measures designed to protect the safety of all parties and/or the Gateway's educational environment and/or to





deter harassment, discrimination, and/or retaliation Referral to counseling, medical, and/or other health services.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, Gateway will inform the Complainant, in writing, that they may file a Formal Complaint with Gateway either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their wishes are considered with respect to any planned and implemented supportive measures.

Gateway will maintain the confidentiality of the supportive measures, provided that confidentiality does not impair the Gateway's ability to provide those supportive measures. Gateway will act to ensure as minimal an academic/occupational impact on the parties as possible. Gateway will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to the Employee Assistance Program
- Visa and immigration assistance
- Student financial aid counseling
- Education to the institutional community or institutional community subgroup
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus escorts
- Providing transportation assistance
- Implementing contact limitations (no contact orders) between the parties
- Academic support
- Offering adjustments to academic deadlines, course schedules, etc.

At the time that measures are offered, the College will inform the Complainant, in writing, that they may file a formal report with the College either at that time or in the future.

The College will maintain as confidential the supportive or protective measures, provided that confidentiality does not impair the College's ability to provide the supportive or protective measures. Reasonable measures taken will be at no cost to the parties.

At the discretion of the Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the reporting and responding parties.

## 5. Emergency Removal

Gateway can act to remove a student Respondent entirely or partially from its education program or activities-partially or entirely- on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator in conjunction with a person trained to conduct such an analysis using its standard objective violence risk assessment procedures.

When an emergency removal is imposed, the student will be given notice of the action and the option





to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon as reasonably possible thereafter, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested in a timely manner, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it equitable to do so. This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this Policy to implement or modify an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline within the student or employee conduct processes, which may include expulsion or termination.

Gateway will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to: [removing a student from a residence hall, temporarily re-assigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take incomplete grades without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, or student organizational leadership.

At the discretion of the Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact on the parties as possible.

When the Respondent is an employee, or a student employee, accused of misconduct in the course of their employment, existing provisions (link) for interim action are applicable instead of the above emergency removal process.

## 6. Right to an Advisor

### A. Who Can Serve as an Advisor

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the Resolution Process. The parties may choose Advisors from inside or outside of the Gateway community.

The Title IX Coordinator will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from Gateway, the Advisor will be trained by Gateway and be familiar with the Gateway's Resolution Process.

If the parties choose an Advisor from outside the pool of those identified by Gateway, the Advisor may not have been trained by Gateway and may not be familiar with Gateway





policies and procedures. Gateway, upon request, will provide an Advisors Guide as a resource to the outside Advisor.

Parties also have the right to choose not to have an Advisor in the initial stages of the Resolution Process, prior to a hearing.

## **B. Advisors in Hearings/Gateway-Appointed Advisor**

Under the Title IX Regulations, cross-examination is required during the hearing, but must be conducted by the parties' Advisors. The parties are not permitted to directly cross-examine each other or any witnesses. If a party does not have an Advisor for a hearing, Gateway will appoint a trained Advisor for the limited purpose of conducting any cross-examination.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct cross-examination, Gateway will appoint an Advisor who will do so, regardless of the participation or non-participation of the advised party in the hearing itself. Questioning of witnesses will also be conducted by the Administrative Law Judge during the hearing.

## **C. Advisor's Role**

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

Gateway cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, Gateway is not obligated to provide an attorney.

## **D. Pre-Interview Meetings**

Advisors may request to meet with the investigator(s) conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and Gateway's policies and procedures. This right is afforded to both parties.

## **E. Advisor Violations of Gateway Policy**

All Advisors are subject to the same Gateway's policies and procedures, whether they are attorneys or not, and whether they are selected by a party or assigned by the College. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address Gateway officials or investigator(s) in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Administrative Law Judge except during a hearing proceeding, during cross-examination

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the Resolution Process. Although the Advisor generally may not





speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any Resolution Process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Any Advisor who oversteps their role as defined by this policy, or who refuses to comply with the Wisconsin Division of Hearing and Appeals established rules of decorum for the hearing, will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting will be ended, or other appropriate measures implemented, including Gateway requiring the party to use a different Advisor or providing a different Recipient-appointed Advisor. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role in the Title IX process.

## **F. Sharing Information with the Advisor**

Gateway expects that the parties may wish to have Gateway share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the Resolution Process.

Gateway also provides a consent form that authorizes Gateway to share such information directly with their Advisor. The parties must either complete and submit this form to the Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the Advisor before Gateway is able to share records with an Advisor.

If a party requests that all communication be made through their attorney Advisor, Gateway will generally comply with that request subject to the discretion of the Title IX Coordinator.

## **G. Privacy of Records Shared with Advisor**

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by Gateway. Gateway may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by Gateway's privacy expectations.

## **H. Expectations of the Advisor**

Gateway generally expects an Advisor to adjust his/her schedule to allow the Advisor to attend Gateway meetings when planned, but may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

Gateway may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

## **I. Expectations of the Parties with Respect to Advisors**

A party may elect to change Advisors during the process and is not obligated to use the







same Advisor throughout the Title IX Grievance process. The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Title IX Coordinator if they change Advisors at any time. It is assumed that if a party changes Advisors, consent to share information with the previous Advisor is terminated, and a release for the new Advisor must be secured. Parties are expected to inform the Title IX Coordinator of the identity of their hearing Advisor at least two (2) business days before the hearing.

As a public entity, Gateway fully respects and accords the Weingarten rights of employees. For parties who are entitled to union representation, Gateway will allow the unionized employee to have their union representative (if requested by the party) as well as an Advisor of their choice present for all resolution-related meetings and interviews. To uphold the principles of equity, the other party (regardless of union membership) will also be permitted to have two Advisors. Witnesses are not permitted to have union representation or Advisors in grievance process interviews or meetings.

## J. Assistance in Securing an Advisor

Gateway will provide a trained advisor upon request. These advisors are employees of the college who have been trained in the Resolution Process.

For representation, Respondents may wish to contact organizations such as:

- FACE (<http://www.facecampusequality.org>)
- SAVE (<http://www.saveservices.org>).

Complainants may wish to contact organizations such as:

- The Victim Rights Law Center (<http://www.victimrights.org>),
- The National Center for Victims of Crime (<http://www.victimsofcrime.org>), which maintains the Crime Victim's Bar Association.]
- The Time's Up Legal Defense Fund: <https://nwlc.org/times-up-legal-defense-fund/>

Those seeking legal representation may contact the [Wisconsin State Bar Association Attorney Referral program](#) at (800) 362-9082.

## 7. Resolution

Proceedings are private. All persons present at any time during the Resolution Process are expected to maintain the privacy of the proceedings in accord with College policy. While the contents of the meetings are private, the parties have discretion to share their own experiences if they so choose, and should discuss doing so with their advisors.

Although there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, except for information the parties agree not to disclose as part of an Informal Resolution. Gateway encourages parties to discuss any sharing of information with their Advisors before doing so.







## A. Informal Resolution

Informal Resolution can include three different approaches:

1. **Supportive Resolution.** When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation
2. **Alternative Resolution.** When the parties agree to resolve the matter through an alternative resolution mechanism [including mediation, restorative practices, facilitated dialogue, etc.], as described below, often before a formal investigation takes place (See Section B)
3. **Accepted Responsibility.** When the Respondent accepts responsibility for violating policy, and desires to accept the recommended sanction(s) and end the Resolution Process (See Section C)

To initiate Informal Resolution, a Complainant needs to submit a Formal Complaint, as defined above. If a Respondent wishes to initiate Informal Resolution, they should contact the Title IX Coordinator to so indicate.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, Gateway will provide the parties with written notice of the reported misconduct and any sanctions (only in the case of Accepted Responsibility) or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by Gateway.

The Title IX Coordinator may look to the following factors to assess whether Informal Resolution is appropriate, or which form of Informal Resolution may be most successful for the parties:

- The parties' amenability to Informal Resolution;
- Likelihood of potential resolution, taking into account any power dynamics between the parties;
- The parties' motivation to participate;
- Civility of the parties;
- Cleared violence risk assessment/ongoing risk analysis;
- Disciplinary history;
- Whether an emergency removal is needed;
- Skill of the Informal Resolution facilitator with this type of complaint;
- Complaint complexity;
- Emotional investment/intelligence of the parties;
- Rationality of the parties;
- Goals of the parties;
- Adequate resources to invest in Informal Resolution (time, staff, etc.)

An Informal Resolution cannot be utilized when the Respondent is an employee in Quid Quo Pro Sexual Harassment allegations. Gateway will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not





pressure the parties to participate in Informal Resolution. The Title IX Coordinator has discretion to determine if an investigation will be paused during Informal Resolution, or if it will be limited, or will continue during the Informal Resolution Process.

## B. Alternative Resolution Approaches

Alternative Resolution is an informal approach, including mediation, restorative practices, facilitated dialogue, etc. by which the parties reach a mutually agreed upon resolution of a complaint. All parties must consent to the use of an Alternative Resolution approach.

The Title IX Coordinator may consider the following factors to assess whether Alternative Resolution is appropriate, or which form of Alternative Resolution may be most successful for the parties:

- The parties' amenability to Alternative Resolution
- Likelihood of potential resolution, considering any power dynamics between the parties
- The nature and severity of the alleged misconduct
- The parties' motivation to participate
- Civility of the parties
- Results of a violence risk assessment/ongoing risk analysis
- Disciplinary history of the Respondent
- Whether an emergency removal is needed
- Skill of the Alternative Resolution facilitator with this type of complaint
- Complaint complexity
- Emotional investment/capability of the parties
- Rationality of the parties
- Goals of the parties
- Adequate resources to invest in Alternative Resolution (time, staff, etc.)

The ultimate determination of whether Alternative Resolution is available or successful is made by the Title IX Coordinator. The Title IX Coordinator is authorized to facilitate a resolution that is acceptable to all parties, and/or to accept a resolution that is proposed by the parties, usually through their Advisors, including terms of confidentiality, release, and non-disparagement.

The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., referral for formal resolution, referral to the conduct process for failure to comply). The





results of complaints resolved by Alternative Resolution are not appealable.

### **C. Respondent Admits Responsibility for Alleged Violations**

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the Resolution Process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria in that section above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and Gateway are able to agree on responsibility, restrictions, remedies, and determine the appropriate sanctions. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of Gateway policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the parties cannot agree upon a resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

### **D. Negotiated Resolution**

The Title IX Coordinator, with the consent of the parties, may negotiate and implement an agreement to resolve the allegations that satisfies all parties and the College.

## **8. Formal Grievance Process: Notice of Investigation and Allegations**

The Title IX Coordinator will provide written Notice of the Investigation and Allegations (the "NOIA") to the Respondent(s) upon commencement of the Formal Grievance Process. This facilitates the Respondent's ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant.

The NOIA will include:

- A meaningful summary of all of allegations,
- The identity of the involved parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that the Gateway presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity during the review and comment period to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,





- A statement about the Gateway's policy on retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that the Gateway's policy prohibits knowingly making false statements, including knowingly submitting false information during the Resolution Process,
- Detail on how the party may request disability accommodations during the Resolution Process,
- A link to Gateway's Title IX website,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official Gateway records, or emailed to the parties' Gateway-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

## 9. Resolution Timeline

Once a formal investigation is commenced, the Title IX Coordinator will provide written notification of the investigation to the Respondent at the onset of a formal investigation. Once Gateway has received notice or a Formal Complaint, all allegations are promptly acted upon. Complaints typically take around 90 business days to resolve. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but Gateway will avoid all undue delays within its control.

Such circumstances include but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, scheduling conflicts relating to the hearing, the absence of parties and/or witnesses, and/or health conditions.

Any time the general timeframes for resolution outlined in Gateway's procedures will be delayed, Gateway will provide written notice to the parties of the delay (unless the parties are present during a prehearing meeting that discussed the reason for the delay), the cause for the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

## 10. Investigators

The Formal Grievance Process relies on a pool of trained investigators to carry out the process. Members of the Pool are trained annually, and can serve in the following roles, at the direction of the Title IX Coordinator:

- To provide appropriate intake of and initial guidance pertaining to complaints
- To act as an Advisor to the parties
- To serve in a facilitation role in Informal Resolution if appropriately trained in appropriate resolution modalities
- To investigate complaints





- To serve as an Appeal Administrative Law Judge

The Title IX Coordinator, in consultation with the Equal Opportunity Officer, appoints the Pool, which acts with independence and impartiality. While members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different cases, Gateway can also designate permanent roles for individuals in the Pool, using others as substitutes or to provide greater depth of experience when necessary. This process of role assignment may be the result of particular skills, aptitudes, or talents identified in members of the Pool that make them best suited to particular roles.

The Pool members receive annual training jointly or based on their respective roles. This training includes topics such as:

- The scope of Gateway's Equal Opportunity, Civil Rights, and Sexual Harassment policy
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
- Implicit bias
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, and impartial manner
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by Gateway with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to conduct a Sexual Harassment investigation and grievance process including hearings, appeals, and Informal Resolution Processes
- How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias
- Any technology to be used at a live hearing
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations

Specific training is also provided for Appeal Administrative Law Judges and the Administrative Law Judge (who is an Administrative Law Judge employed with the Wisconsin Division of Hearings and Appeals). All Pool members are required to attend these trainings annually. The materials used to train all members of the Pool are publicly posted at [gtc.edu/TitleIX](http://gtc.edu/TitleIX).

## 11. Appointment of Investigators

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints Pool members to conduct the investigation, usually within two (2) business days of determining that an





investigation should proceed.

## 12. Ensuring Impartiality

Any individual materially involved in the administration of the Resolution Process, including the Title IX Coordinator, Investigator(s), and Administrative Law Judge, may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the Resolution Process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the Equal Opportunity Officer.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence which supports that the Respondent engaged in a policy violation and evidence which supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

Gateway operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

## 13. Delays in the Process and Interactions with Law Enforcement

The College may undertake a short delay in its investigation (several days to weeks) if circumstances require. Such circumstances include, but are not limited to, concurrent law enforcement activity, the need for language assistance, the absence of parties and/or witnesses, and/or accommodation for disabilities or health conditions. The Director of Compliance will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary and will promptly resume its investigation and Resolution Process as soon as feasible. During such a delay, Gateway will implement interim actions as deemed appropriate.

College action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

## 14. The Investigation Process

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, available relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

At the discretion of the Title IX Coordinator, investigations can be combined when complaints





implicate a pattern, collusion, and/or other shared or similar actions.

The investigator's role is to conduct interviews with all parties and relevant witnesses, gather evidence, and complete a report that is provided to the Wisconsin Division of Hearing and Appeals so that a hearing can be scheduled and conducted.

While the Title IX Coordinator cannot conduct an investigation if he conducted the initial assessment, the Title IX Coordinator serves as a process expert for the investigator, as needed, and may send notices or perform other administrative tasks on behalf of the investigator. The Title IX Coordinator does not influence the nature or outcome of the investigation.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated.
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for the parties and witnesses.
- Meet with the Complainant to finalize their interview/statement, if necessary.
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings.
- Make good faith efforts to notify each party of any meeting or interview involving another party, in advance when possible.
- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose.
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of another party and/or witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
- Complete the investigation promptly and without unreasonable deviation from the intended timeline.
- Provide regular status updates to the parties throughout the investigation.
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties and indicated to the investigator) with a list of witnesses whose information will be used to render a finding.
- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included.
- Gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report.
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties and with written consent) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which Gateway does not intend to rely in reaching a determination, for a ten (10) calendar day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the







person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Respondent's Advisor).

- Elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses.
- Incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period.
- Share the report with the Title IX Coordinator for their review and feedback regarding thoroughness and formatting but will not contribute information regarding substantive matters.
- Incorporate any relevant feedback and share the final report with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties and Advisors are also provided with a file of any directly related evidence that was not included in the report.
- Share the final report with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) calendar days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report.

## **15. Role and Participation of Witnesses in the Investigation**

Witnesses (as distinguished from the parties) who are employees of Gateway are expected to cooperate with and participate in the Gateway's investigation and Resolution Process, though they cannot be compelled to do so. Witness cooperation is important as it allows Gateway to fulfill its role in making Gateway a safe and inclusive campus, as well as assure an equitable outcome.

While in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. Gateway will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, though this method is not preferred. If a witness submits a written statement but does not intend to be and is not present for cross examination at a hearing, their written statement may not be used as evidence in the determination of responsibility.

## **16. Recording of Interviews**

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware audio and/or video recording.

College officials and investigators may utilize audio recording devices during the interview process. Recordings of interviews are not provided to the parties, but the parties will have the ability to review the summary of the interview once the investigation report is compiled.

## **17. Evidentiary Considerations in the Investigation**







Neither the investigation nor the hearing will consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, 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.

Within the boundaries stated above, the investigation and the hearing can consider character evidence generally, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

## **18. Referral for Hearing**

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing with the Wisconsin Division of Hearing and Appeals.

The hearing cannot be less than ten (10) business days from the conclusion of the investigation –when the final investigation report is transmitted to the parties and the Administrative Law Judge—unless all parties and the Administrative Law Judge agree to an expedited timeline.

## **19. Assignment of the Administrative Law Judge**

At the initiation of the Title IX Coordinator, Gateway will be assigned to an Administrative Law Judge (Administrative Law Judge) with the Wisconsin Division of Hearing and Appeals. The Division of Hearing and Appeals is a quasi-judicial, independent entity created by state law to conduct high quality, impartial, and independent hearings. Administrative Law Judges are civil service employees who are licensed attorneys and trained as judicial officers.

The Administrative Law Judge will not have had any previous involvement with the investigation.

The hearing will convene at a time determined by an agreement of the Title IX Coordinator, Administrative Law Judge, and the parties at the pre-hearing meeting.

## **20. Notice of Hearing**

No less than ten (10) business days prior to the hearing to their college email address, the Administrative Law Judge will send notice of the hearing to the parties. Once emailed, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Administrative Law Judge and parties to see and





- hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator as soon as possible, preferably at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Administrative Law Judge based on the basis of demonstrated bias. This must be raised with the Title IX Coordinator at least seven (7) business days prior to the hearing.
  - Information on how the hearing will be recorded and how the parties can access to the recording for after the hearing.
  - A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the Administrative Law Judge. For compelling reasons, the Administrative Law Judge may reschedule the hearing.
  - Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Administrative Law Judge if they wish to conduct cross-examination and do not have an Advisor, and the Recipient will appoint one. Each party must have an Advisor present if they intend to cross-examine others. There are no exceptions.
  - A copy of all the materials provided to the Administrative Law Judge about the complaint, unless they have already been provided already.
  - An invitation to each party to submit to the Administrative Law Judge an impact statement pre-hearing that the Administrative Law Judge will review during any sanction determination.
  - An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
  - Whether parties cannot bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by Gateway and remain within the 60-90 business day goal for resolution. Employees who are not contracted to work during the time-frame of the investigation and hearing are still expected to participate in Resolution Proceedings.

## 21. Additional Evidentiary Considerations in the Hearing

Any evidence that the Administrative Law Judge determines is relevant and credible may be considered. The hearing does not consider:

- incidents not directly related to the possible violation, unless they evidence a pattern;
- the character of the parties; or
- questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, 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.

Previous disciplinary action of any kind involving the Respondent may not be used in determining an appropriate sanction unless there is an allegation of a pattern of misconduct. Such information may also be considered in determining an appropriate sanction upon a determination of responsibility,





assuming the Recipient uses a progressive discipline system. This information is only considered at the sanction stage of the process and is not shared until then.

The parties may each submit a written impact statement prior to the hearing for the consideration of the Administrative Law Judge at the sanction stage of the process when a determination of responsibility is reached.

The Administrative Law Judge renders a written determination based on the preponderance of the evidence standard.

## 22. Alternative Hearing Participation Options

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator as soon as possible, preferably at least five (5) business days prior to the hearing.

The Division of Hearings and Appeals can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator know as soon as possible, but preferably at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

## 23. Pre-Hearing Preparation

After any necessary consultation with the parties, the Title IX Coordinator or Administrative Law Judge will provide the names of persons who have been asked to participate in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing. Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s) or have proffered a written statement or answered written questions, unless all parties and the Administrative Law Judge assent to the witness's participation in the hearing. The same holds for any relevant evidence that is first offered at the hearing. If the parties and Administrative Law Judge do not assent to the admission of evidence newly offered at the hearing, the Administrative Law Judge will delay the hearing and instruct that the investigation needs to be re-opened to consider that evidence.

The parties will be given a list of the names of the Administrative Law Judge at least ten (10) business days in advance of the hearing. All objections to any Administrative Law Judge must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than 2 (two) business days prior to the hearing. Administrative Law Judge will only be removed if the Title IX Coordinator concludes that their actual or perceived bias or conflict of interest precludes an impartial hearing of the allegation(s).

The Title IX Coordinator will give the Administrative Law Judge a list of the names of all parties, witnesses, and Advisors at least five (5) business days in advance of the hearing. Any Administrative Law Judge who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Administrative Law Judge is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

During the ten (10) business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review





and comment can be shared with the Administrative Law Judge at the pre-hearing meeting or at the hearing and will be exchanged between each party by the Administrative Law Judge.

## **24. Pre-Hearing Meetings**

The Administrative Law Judge may convene a pre-hearing meeting(s) with the parties and/or their Advisors to invite them to submit the questions or topics they (the parties and/or their Advisors) wish to ask or discuss at the hearing, so that the Administrative Law Judge can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the Advisors from asking at the hearing for a reconsideration based on any new information or testimony offered at the hearing. The Administrative Law Judge must document and share their rationale for any exclusion or inclusion at this pre-hearing meeting.

The Administrative Law Judge, only with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a party and/or their Advisor, the Administrative Law Judge will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator(s) may be argued to be relevant. The Administrative Law Judge may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Administrative Law Judge may consult with legal counsel and/or the Title IX Coordinator, or ask either or both to attend pre-hearing meetings.

The pre-hearing meeting(s) will not be recorded. The pre-hearing meetings may be conducted as separate meetings with each party/Advisor, with all parties/Advisors present at the same time, remotely, or as a written-only exchange. The Administrative Law Judge will work with the parties to establish the format.

## **25. Hearing Procedures**

Through the hearing process, the Administrative Law Judge has the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within the Equal Opportunity, Civil Rights, and Sexual Harassment policy.

Participants at the hearing may include the Administrative Law Judge, the Title IX Coordinator, the Investigator(s) who conducted the investigation, the parties (or up to three (3) organizational representatives when an organization is the Respondent), Advisors to the parties, any called witnesses, and anyone providing authorized accommodations or assistive services.

The Administrative Law Judge will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Administrative Law Judge will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Administrative Law Judge and the parties and will then be excused. The Investigator(s) will remain present for the duration of the hearing.





## 26. Joint Hearings

In hearings involving more than one Respondent and/or involving more than one Complainant who has accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent or complaint to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent and/or for each complaint with respect to each alleged policy violation.

## 27. The Order of the Hearing

The Administrative Law Judge explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Administrative Law Judge based on bias or conflict of interest. The Administrative Law Judge will rule on any such challenge unless the Administrative Law Judge is the individual who is the subject of the challenge, in which case the Title IX Coordinator will review the challenge and decide.

The Division of Hearings and Appeals will manage all aspects of the hearing.

### A. Investigator Presentation the Final Investigation Report

The Investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Administrative Law Judge and the parties (through their Advisors). The Investigator(s) will be present during the entire hearing process but does take part in the decision-making process.

Neither the parties nor the Administrative Law Judge should ask the Investigator(s) their opinions on credibility, recommended findings, or determinations, and the Investigators, Advisors, and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the Administrative Law Judge will direct that it be disregarded.

### B. Testimony and Questioning

Once the Investigator(s) present their report and responds to questions, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Administrative Law Judge. The parties/witnesses will submit to questioning by the Administrative Law Judge and then by the parties through their Advisors ("cross-examination").

All questions are subject to a relevance determination by the Administrative Law Judge and conducted in a manner consistent with the 2020 Title IX regulations.

The Administrative Law Judge may explore arguments regarding relevance with the Advisors, if the Administrative Law Judge so chooses. The Administrative Law Judge will then state his/her decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Administrative Law Judge will explain any decision to





exclude a question as not relevant, or to reframe it for relevance.

The Administrative Law Judge will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Administrative Law Judge has final say on all questions and determinations of relevance, subject to any appeal. The Administrative Law Judge may consult with legal counsel on any questions of admissibility. The Administrative Law Judge may ask advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the advisors on relevance once the Administrative Law Judge has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or Administrative Law Judge at the hearing, the Administrative Law Judge may elect to address those issues, consult with the director or assistant director of the Division of Hearings and Appeals, refer them to the Title IX Coordinator, and/or preserve them for appeal. If bias is not in issue at the hearing, the Administrative Law Judge should not permit irrelevant questions that probe for bias.

## **C. Refusal to Submit to Cross-Examination and Inferences**

Any party or witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the hearing, or because they attend but refuse to participate in some or all questioning. The Administrative Law Judge can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The Administrative Law Judge may not draw any inference solely from a party's or witness's absence from the hearing or refusal to submit to cross-examination or answer other questions.

An Advisor may not be called as a witness at a hearing to testify to what their advisee has told them during their role as an Advisor unless the party being advised consents to that information being shared. It is otherwise considered off-limits, and an Advisor who is an institutional employee is temporarily alleviated from mandated reporter responsibilities related to their interaction with their advisee during the Resolution Process.

## **D. Hearing Recordings**

Hearings (but not deliberations) are recorded by Gateway or the Division of Hearings and Appeals for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The Administrative Law Judge, the parties, their Advisors, and appropriate administrators of Gateway will be permitted to review the recording in a controlled environment, upon request to the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

## **E. Hearing Outcome and Standard of Proof**

The Administrative Law Judge will determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. The preponderance of the evidence standard of proof is used.







When there is a finding of responsibility for one or more of the allegations, the Administrative Law Judge may then consider the previously submitted party impact and/or mitigation statements in determining appropriate sanction(s).

The Administrative Law Judge will ensure that each of the parties has an opportunity to review any impact and/or mitigation statement(s) once submitted by the other party(ies). The Administrative Law Judge may – at their discretion – consider the statements, but they are not binding. The Administrative Law Judge will review the statements, and any pertinent conduct history provided by the Title IX Coordinator in formulating the appropriate sanction(s).

The Administrative Law Judge will also review any pertinent conduct history provided by the Title IX Coordinator and will recommend the appropriate sanction(s) in consultation with the Title IX Coordinator, as required.

The Administrative Law Judge will then prepare a written statement detailing all findings/final determinations, the rationale(s) explaining the decision(s), the evidence used in support the determination, the evidence not relied upon in the determination, any credibility assessments, and any sanctions recommendations and rationales explaining the sanction(s) and will deliver the statement to the Title IX Coordinator.

## **F. Notice of Outcome**

Using the determination of responsibility, the Title IX Coordinator will prepare a Notice of Outcome. The Title IX Coordinator will then share the letter, which includes the final determination of responsibility, rationale, and any applicable sanction(s) with the parties within 5 business days of receiving the Administrative Law Judge' determination of responsibility.

The Notice of Outcome will then be shared with the parties simultaneously. Notification will be made in writing and may be delivered to the college email address of the parties, or, if no longer a students or employee at the college, through the US Postal Service via certified and regular mail. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The Notice of Outcome will specify the finding for each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent the Recipient is permitted to share such information under state or federal law; any sanctions issued which the Recipient is permitted to share according to state or federal law; and whether remedies will be provided to the Complainant to ensure access to Gateway's education or employment program or activity.

The Notice of Outcome will also include information on when the results are considered final by Gateway, will note any changes to the outcome and/or sanctions that occur prior to finalization, and the relevant procedures and bases for appeal.

## **G. Sanctions**

Factors considered when determining a sanction/responsive action may include, but are not limited to:





- The nature, severity of, and circumstances surrounding the violation
- An individual's disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment and/or retaliation
- The need to remedy the effects of the discrimination, harassment and/or retaliation on the Complainant and the community
- Any other information deemed relevant by the Director of Compliance

These factors can modify the typical sanction range.

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

If it is later determined that a party or witness intentionally provided false or misleading information, that action could be grounds for re-opening a grievance process at any time, and/or referring that information to another process for resolution.

## Student Sanctions

The following are the common sanctions that may be imposed upon students singly or in combination, depending on the nature and facts of a specific claim.

- Educational Activity: assignment of an appropriate educational activity, such as a webinar, reading, training, etc., that creates awareness and spurs behavioral change.
- Warning: A formal statement that the conduct was unacceptable and a warning that further violation of any Gateway policy, procedure, or directive will result in more severe sanctions/responsive actions.
- Restriction: a limitation on the student's access to identified services, locations, education, community activities or persons. Issued for a specified time frame.
- Restitution: Issued to a student who has committed a violation of this policy that resulted in staff, institutional or another student's financial loss. May be issued as a condition of return or continued attendance in the college.
- Referral: Issued to a student who has committed a violation of this policy and it is determined that continued participation at the college is contingent upon the student attending designated services (college or private vendor) or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return to or continued attendance at the College.







- **Loss of Privileges:** Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance at the College with permanent or temporary limitations on the student's access to identified services, locations, or educational community activities.
- **No Contact:** Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance at the College with permanent or temporary limitations on the student's access to or contact with an identified individual or group(s) of student and/or staff.
- **Disciplinary Probation:** Issued to a student who has committed a violation of this policy and will face additional sanctions if any additional violations occur during a specified time frame.
- **Emergency removal:** Issued to a student, for a specified time frame, who has committed a major, egregious or continued violation(s) of this policy.
- **Expulsion/Dismissal:** Permanent removal, issued to a student who has committed a major, egregious or continued violation(s) of this policy.

Sanctions range from a verbal warning to expulsion from the college, based on the offense and the factors noted above in addition to any mitigating, aggravating, and/or compounding factors.

Responsive actions for an employee who has engaged in discrimination, harassment, and/or retaliation include

- **Training:** assignment of an appropriate training program (webinar, in-person event, etc.) that creates awareness and spurs behavioral change.
- **Warning:** A formal statement that the conduct was unacceptable and a warning that further violation of any Gateway policy, procedure, or directive will result in more severe sanctions/responsive actions.
- **Restriction:** a limitation on the employee's access to identified services, locations, or persons. Issued for a specified time frame.
- **Restitution:** Issued to an employee who has committed a violation of this policy that resulted in staff, institutional or student's financial loss. May be issued as a condition of return or continued employment in the College.
- **Referral:** Issued to an employee who has committed a violation of this policy and it is determined that continued employment at the College is contingent upon the employee attending designated services or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return or continued employment at the College.
- **Loss of Privileges:** Issued to an employee who has committed a violation of this policy and it is determined that the employee may continue employment at the College with permanent or temporary limitations on the employee's access to identified services, locations, or College activities.
- **No Contact:** Issued to an employee who has committed a violation of this policy and it is determined that the employee may continue employment at the college with permanent or temporary limitations on the employee's access to or contact with an identified individual(s) or groups of student and/or staff.





- **Disciplinary Probation:** Issued to an employee who has committed a violation of this policy and will face additional sanctions if any additional violations occur during a specified time frame.
- **Emergency removal:** Issued to an employee, for a specified time frame, who has committed a major, egregious or continued violation(s) of this policy. Emergency removal may be unpaid depending on applicable College policy.
- **Termination of employment:** Permanent termination of employment for an employee who has committed a major, egregious or continued violation(s) of this policy.

Sanctions range from a verbal warning to expulsion from the college, based on the offense and the factors noted above in addition to any mitigating, aggravating, and/or compounding factors. The college retains the rights to issues sanctions outside the identified range depending on the individual circumstances.

Restrictions, loss of privileges, no contact orders, disciplinary probation, emergency removal, and expulsion generally range from one day to five years. Students and employees must satisfy any and all requirements imposed at the time of the sanction to remove the sanction(s).

## 28. Withdrawal or Resignation While an Investigation is Pending

### Students:

Should a Respondent decide not to participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from Gateway, the Resolution Process typically ends with a dismissal, as Gateway has lost primary disciplinary jurisdiction over the withdrawn student. However, Gateway may continue the Resolution Process when, at the discretion of the Title IX Coordinator, doing may be necessary to address safety and/or remedy any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

Regardless of whether the matter is dismissed or pursued to completion of the Resolution Process, Gateway will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to Gateway in any capacity. The Registrar's Office will be notified, accordingly. Such exclusion applies to Gateway locations.

If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the Resolution Process may continue remotely and, if found in violation, that student is not permitted to return to Gateway unless and until all sanctions, if any, have been satisfied.

### Employees:

Should an employee Respondent resign with unresolved allegations pending, the Resolution Process typically ends with dismissal, as Gateway has lost primary disciplinary jurisdiction over the resigned employee. However, Gateway may continue the Resolution Process when, at the discretion of the Title IX Coordinator, doing may be necessary to address safety and/or remedy any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

Regardless of whether the matter is dismissed or pursued to completion of the Resolution Process, Gateway will continue to address and remedy any systemic issues or concerns that contributed to





the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

The employee who resigns with unresolved allegations pending is not eligible for rehire with Gateway, and the records retained by the Title IX Coordinator and Human Resources will reflect that status.

## 29. Appeals

Any party may submit a written request for appeal ("Request for Appeal"), but it must be submitted in writing to the Title IX Coordinator within 5 business days of the delivery of the Notice of Outcome. A single Appeal Administrative Law Judge with the Division of Hearings and Appeals will review the appeal request. No appeal Administrative Law Judge will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process. The Request for Appeal will be forwarded by the Title IX Coordinator to the Appeal Decision-maker for consideration to determine if the request meets the grounds for appeal (a Review for Standing).

A Title IX investigator not involved in the current case will make appeal decisions regarding Title IX Mandatory or Discretionary dismissal and an Administrative Law Judge with the Division of Hearing and Appeals will review and make a decision on the final outcome of the grievance process.

This initial review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

### A. Grounds for Appeal

Appeals are limited to the following grounds:

- A procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, Investigator(s), or Administrative Law Judge had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.
- The sanctions imposed are not proportionate to the violation(s) and the cumulative record of the Respondent.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, then the Appeal Administrative Law Judge will notify all parties, the Title IX Coordinator, and, when appropriate, the Investigator(s) and/or the original Administrative Law Judge.

All other parties and their Advisors (if consent was provided by the parties), the Title IX Coordinator, and, when appropriate, the Investigator(s) and/or the original Administrative Law Judge will be emailed a copy of the Request for an Appeal with the approved grounds and then be given 5 (five) business days to submit a response to the portion of the appeal that was approved and involves them. All responses, if any, will be forwarded by the Appeal Administrative Law Judge to all parties for review and comment.





The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed for standing by the Appeal Administrative Law Judge and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Title IX Coordinator, the Investigator(s) and/or original Administrative Law Judge, as necessary, who will submit their responses in 5 (five) business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The Appeal Administrative Law Judge will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses and Appeal Administrative Law Judge will render a decision within 5 (five) business days, barring exigent circumstances.

A Notice of Appeal Outcome will be sent to all parties simultaneously and will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which Gateway is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent Gateway is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' Gateway-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

## **B. Sanctions Status During the Appeal**

Any sanctions imposed as a result of the hearing are stayed (not implemented) during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, then emergency removal procedures (detailed above) for a hearing on the justification for doing so must be permitted within 48 hours of implementation. Gateway may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

## **C. Appeal Considerations**

- Decisions on appeal are to be deferential to the original determination, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.





- An appeal is not an opportunity for Appeal Administrative Law Judge to substitute their judgment for that of the original Administrative Law Judge merely because they disagree with the finding and/or sanction(s).
- The Appeal Administrative Law Judge may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and/or Administrative Law Judge for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).
- In rare cases where a procedural or substantive error cannot be cured by the original Administrative Law Judge (as in cases of bias), the Appeal Administrative Law Judge may order a new hearing with a new pool member serving in the investigator role and a new DHA Administrative Law Judge.
- The results of a remand to a Administrative Law Judge cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- In cases that result in reinstatement to Gateway or resumption of privileges, all reasonable attempts will be made to restore the Respondent to his/he prior status, recognizing that some opportunities lost may be irreparable in the short term.

### 30. Long-Term Remedies/Actions

Following the conclusion of the Resolution Process and in addition to any sanctions implemented, the Title IX Coordinator may utilize long-term remedies or actions to stop discrimination, harassment, sexual misconduct or retaliation, remedy their effects on the individual and college community, and prevent their reoccurrence. These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the community
- Permanently altering work arrangements for employees
- Providing campus escorts
- Policy modification
- Implementing long-term contact limitations between the parties





- Offering adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, long-term remedies may also be provided even when the Respondent is found not responsible.

When no policy violation is found, the Title IX Coordinator will address any remedial requirements Gateway owes the Respondent to ensure no effective denial of education access.

## **31. Failure to Complete Sanctions/Comply with Interim and Long-term Remedies/Responsive Actions**

All responding parties are expected to comply with conduct sanctions, responsive actions and corrective actions within the timeframe specified by the Title IX Coordinator. Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the Recipient. Supervisors are expected to enforce completion of sanctions/responsive actions for their employees. A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

## **32. Records policy**

Records, both physical and electronic, of incidents or complaints and those produced during a civil rights inquiry or investigation are maintained for no less than seven years by the Office for Equal Opportunity and Civil Rights. Records that pertain to students are part of their student record and subject to FERPA. Drafts and “working files” are not considered records that must be maintained by the College and are destroyed at the conclusion of an inquiry or investigation. Students and employees may access these records in accordance with applicable College policies on access to records.

Records of the following are retained:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the Respondent;
3. Any remedies provided to the Complainant designed to restore or preserve equal access to the Gateway’s education program or activity;
4. Any appeal and the result therefrom;
5. Any Informal Resolution and the result therefrom;
6. All materials used to train Title IX Coordinators, Investigators, Administrative Law Judge, and any person who facilitates an Informal Resolution Process. Gateway will make these training materials publicly available on Gateway’s website;
7. Any actions, including any supportive measures, taken in response to a report or Formal Complaint of sexual harassment, including:
  - a. The basis for all conclusions that the response was not deliberately indifferent;
  - b. Any measures designed to restore or preserve equal access to Gateway’s education program or activity;
  - c. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Gateway will also maintain any and all records in accordance with state and federal laws. The Office





for Equal Opportunity and Civil Rights may access student and employee data held on college owned and managed networks as part of an investigation. Such data will be retained in keeping with this policy and other related college policies.

## 33. Statement of the Rights of the Parties

Both the Complainant and the Respondent shall have the right to:

- Equitable investigation and appropriate resolution of all credible allegations of sexual harassment made in good faith to Gateway officials;
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by Gateway officials.
- The right to have Gateway policies and procedures followed without material deviation.
- The right not to be pressured to informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by Gateway officials from reporting sexual harassment to both on-campus and off-campus authorities.
- The right to be informed by Gateway officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by Gateway authorities in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report, as well.
- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by Gateway security and/or other Gateway officials.
- The right to be informed of available interim actions and supportive measures, such as counseling; advocacy; health care; legal, student financial aid, visa, and immigration assistance; or other services, both on campus and in the community.
- The right to a Gateway-implemented no-contact order or no-trespass order against a non-affiliated third when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct that presents a danger to the welfare of the party or others.
- The right to be informed of available assistance in changing academic, living, and/or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either institutional or criminal, needs to occur before this option is available. Such actions may include, but are not limited to:







- Changing an employee's work environment (e.g., reporting structure, office/workspace relocation)
  - Visa/immigration assistance
  - Exam, paper, and/or assignment rescheduling or adjustment
  - Receiving an incomplete in, or a withdrawal from, a class (may be retroactive)
  - Transferring class sections
  - Temporary withdrawal/leave of absence (may be retroactive)
  - Campus safety escorts
  - Transportation assistance
  - Alternative course completion options.
- The right to have the Gateway maintain such actions for as long as necessary and for supportive measures to remain private, provided privacy does not impair the Gateway's ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any meeting or interview involving the other party, when possible.
- The right to identify and have the Investigator(s) and Administrative Law Judge(s) to question relevant witnesses, including expert witnesses.
- The right to provide the Investigator(s)/Administrative Law Judge with a list of questions that, if deemed relevant by the Investigator(s)/Administrative Law Judge, may be asked of any party or witness.
- The right to have inadmissible sexual pre-disposition/prior sexual history or irrelevant character evidence excluded by the Administrative Law Judge.
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of the investigation report, and all relevant and directly related evidence obtained during the investigation, subject to the privacy limitations imposed by state and federal law, prior to the hearing, and the right to have at least ten (10) business days to review the report prior to the hearing.
- The right to respond to the investigation report, including comments providing any additional relevant evidence after the opportunity to review the investigation report, and to have that response on the record.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have reports of alleged Policy violations addressed by Investigators, Title IX Coordinators, and Administrative Law Judge who have received relevant annual training.







- The right to preservation of privacy, to the extent possible and permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any Gateway representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the Resolution Process.
- The right to have Gateway compel the participation of faculty and staff witnesses.
- The right to the use of the appropriate standard of evidence, preponderance of the evidence, to make a final determination after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
- The right to have an impact statement considered by the Administrative Law Judge but prior to sanctioning.
- The right to be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the Resolution Process and a detailed rationale therefor (including an explanation of how credibility was assessed) in a written Notice of Outcome letter delivered simultaneously (without undue delay) to the parties.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the Resolution Process, and the procedures for doing so in accordance with the standards for appeal established by the Gateway.
- The right to a fundamentally fair resolution as defined in these procedures.

## 34. Disabilities Accommodation in the Equity Resolution Process

Gateway is committed to providing qualified students, employees or others with disabilities with reasonable accommodations and support needed to ensure equal access to the Equity Resolution Process at the College. Students needing such accommodations or support should contact the Director of Student Accommodations and Accessibility Services, and employees should contact the Title IX Coordinator, who will review the request and, in consultation with the person requesting the accommodation, and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation.

## 35. Revision of policies

This Policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct, and/or retaliation and will be reviewed and updated at least annually by the Title IX Coordinator. Gateway reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the Resolution Process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The Title IX Coordinator may also vary procedures materially





with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this Policy and procedures.





## H-150 - Instructional Audio/Video Recording of Students

### Purpose

Recording of synchronous in-person or remote instructional experiences is an acknowledged means to enhance learning, promote retention of content, enhance accessibility, and provide access to course material for students who miss class or cannot participate in the instructional experience. This Gateway Technical College (Gateway) Photography and Video Recording and Use Policy describes the College's policy relating to the use of recordings, photographs, and videos taken by Gateway employees of Gateway students and other members of the college community participating in instructional activities provided by Gateway. In general, recordings are used to enhance instruction and improve learning/retention in courses, however, these purposes must be balanced against the legal obligations imposed on the College by state and federal law. Student privacy concerns are weighed against the benefits of using recordings to aid instruction.

### Scope

This policy applies to all recordings in which students or prospective students are identifiable. Examples include: classroom/lab/tutoring/instructional recording situations where students are in any way identifiable within the recording. This policy applies to all staff, whether employed on a full-time, part-time, limited term, or casual employment basis by Gateway, and who are engaged in recording instructional/tutoring activities.

The Family Educational Rights and Privacy Act (FERPA) governs the release of student information to 3rd parties. In general, recorded classes containing identifiable student information constitute an educational record under FERPA and may not be shared with unauthorized 3rd parties. In some instances, use of these recordings outside of the specific course section in which they are produced is permissible when an instructor acquires signed consent/release forms (see Resources at the bottom of this policy), which stipulate the conditions of the use of the video e.g. audience, timeframe, from ALL student participants in the class.

Wisconsin State Law provides for Single Party Consent rules when creating recordings. For this reason, this policy does not attempt to restrict students, staff, or other individuals from creating recordings, but its focus is on the use and retention of staff-generated recordings.

This policy does NOT apply to situations where audio/video or still photography is used by Gateway's Marketing and Communications department (or authorized 3rd parties) for the purpose of advertising, promoting or communicating about the college, or otherwise authorized by policy H-171: Free Speech and Lawful Assembly. Additionally, recordings made of public events or in public spaces where there is no expectation of privacy are not governed by this policy.

### Definitions

**Recording** - Any analog or digital still photo, video recording, audio recording, screen capture, video/audio transcripts, or streamed video/audio content through any medium or device where students are identifiable.

**Instructional Activity** - Any teaching-related activity where students are identifiable and where recordings may take place. Includes: classroom instruction, remote synchronous instruction, simulation activities, group tutoring activities, instructor-led review sessions, etc.



Retention Period - How long a recording is kept in digital archives prior to its destruction/deletion.

## Policy Statements

- Instructional recordings must be for instructional/official purposes only and student privacy must be maintained to the greatest degree possible.
- The retention period for Gateway employee-generated instructional video in which students are identifiable is one semester plus any time authorized for any student in the class who receives an Incomplete grade to finish assigned coursework.
- Gateway employees should control distribution of instructional video by using College-provided tools, ie. Zoom/Panopto whenever possible.
- Classes may be recorded and made available to students for further studying or to meet student accommodations. Recorded classes will only be shared with students in the class/semester the recording was created in.
- Departments and/or programs may have additional language governing the use of recordings. Staff in those programs must also comply with those statements in addition to these policy statements.

## Non-Compliance

Violations of this policy will be subject to the sanctions outlined in policy H-190.

## Related Policies

E-135 - Safety and Security Systems

A-110 - Instructional Resources, Equipment, and Software

A-140 - Online Learning

H-151 - Closed Captioning

H-185 - Social Media Policy

H-171 - Free Speech and Lawful Assembly

## Resources

Link to Gateway Technical College's media release form:

<https://www.gtc.edu/about-gateway/marketing-communications-department>

Please refer to the LID Intranet site for additional how-to information and best practices on recording.

**Adopted: April 2021**

**Revised: 10/10/2024**



# H-151

## CLOSED CAPTIONING & AUDIO DESCRIPTION

### POLICY

Gateway Technical College is committed to the fundamental academic principles of equity and accessibility by providing all students and staff with equal access to the College's programs, services, events, and staff development activities. The purpose of this policy is to support an inclusive work and learning environment that uses technology and media to reduce and remove communication barriers.

Numerous state and federal laws prohibit discrimination against individuals with disabilities.

- The Americans with Disabilities Act (ADA), signed into law in 1990, requires institutes of higher education to ensure that their communications with people with disabilities are as effective as communications with others through the provision of auxiliary aids and services, which includes the use of closed captioning. The ADA protects persons with disabilities from discrimination through barriers to communication. Communications with individuals with disabilities must be as effective as communications with others. The use of closed-captioned media breaks down these barriers and equalizes communication access.
- Section 504 of the Rehabilitation Act of 1990 also prohibits discrimination and mandates accessibility to individuals with disabilities. Individuals may not be excluded from participation or denied the benefits of educational programs.
- Wisconsin Statute 38.23 states that no student may be denied the benefits of or be discriminated against in any service, program, course, or facility of any technical college because of, among other protected classes, disability.

Captions are mandated primarily for Deaf and hard-of-hearing viewers, but captions benefit multiple audiences including:

- Non-native speakers
- When vocabulary is unfamiliar
- When the speaker is using an unfamiliar dialect
- When audio is not clear or audio is not available.



### Elements of Quality Captioning

High-quality captions include accurate transcription, proper punctuation, speaker identification, and the identification of sounds other than speech.

- **Accurate:** Errorless captions are the goal for each production.
- **Consistent:** Uniformity in style and presentation of all captioning features.
- **Clear:** A complete textual representation of the audio, including speaker identification and nonspeech information, provides clarity.
- **Readable:** Captions are displayed with enough time to be read completely, are in synchronization with the audio, and are not obscured by (nor do they obscure) the visual content.
- **Equal:** Equal access requires that the meaning and intention of the material is completely preserved.

### Covered Media

All instructional, informational, marketing, and promotional audiovisual materials used for and by the institution including but not limited to content posted on websites, social media, classroom and professional development presentations, community events, or online learning platforms will be produced with closed captions to ensure all subsequent copies will be captioned. All materials will be in compliance with copyright laws.

For the purposes of this policy, media includes DVD/Blu-ray, any streaming media, video or audio hosted on a web-based platform (e.g. streamed videos and movies, audio recordings, podcasts), and any other format that includes an audiovisual component.

All procedures for closed captioning materials are located in Gateway Technical College's Guide to Closed Captioning.

Gateway has the ability to caption your videos in-house to assure ADA compliance. This procedure is found in the Guide to Closed Captioning.

### New Media Releases

It is the responsibility of the college/department, administrators, faculty, and staff to:



1. Purchase and use captioned media for teaching purposes in their assigned classroom and/or college/department or College-sponsored event;
2. Substitute media with captioning in the place of an older version without captioning;
3. Update all media stock to include only those with captioning; and
4. Create captions for any College-created video.

### Non-captioned media Releases

It is the responsibility of the college/department, administrators, faculty, and staff to:

1. Transition their media materials into captioned and accessible products for all;
2. Inquire with the Library to determine if the College has a captioned version;
3. Seek an alternative media with closed-captioning;
4. Make a determination if the media is essential to a course or if it may be deleted from a syllabus.

### Alternative Accommodations for Non-captioned Media

In the event that the college/department, administrators, faculty, or staff determine a non-captioned media product is essential to an academic course or other requirements. It is the responsibility of the college/department, administrator, faculty, or staff member to meet with the Deaf and Hard-of-Hearing Specialist to determine reasonable alternatives.

### Audio Descriptions

Audio description, also referred to as “AD,” is required under Title II of the Americans with Disabilities Act and 28 CFR Part 35, Web Accessibility Rule, adopting the WCAG 2.1 AA standards, as it ensures equal access to Gateway’s programs, activities, and services for those with disabilities.

Audio description, also known as video description, is [the verbal depiction of key visual elements in media and live productions](#).

#### Audio description

- Provides key information on video elements that are essential for a blind or low vision person to comprehend the program.
- Adds the description of the action in between the audio of the program.



- Narrates actions, gestures, scene changes, and other visual information, guiding the listener through the presentation with concise, objective descriptions.
- Describe titles, speaker names, and other text that may appear on the screen.

Audio descriptions are not needed when you can follow what's going on in a video by listening only and without looking at the screen, then the audio description is not required. If there are elements in the visual portion of the video that the audio does not adequately describe for someone who is not seeing the screen then the audio description is required. If you already explain essential information verbally in a video the amount of additional audio description can be reduced or even eliminated.

- Videos produced or provided to the following audiences require audio description. A student who is blind or low vision and requests audio description as an accommodation.
- Videos that are posted on its website, social media platforms, or distributed to the entire student body.

Audio descriptions can be provided in multiple ways.

- They can be incorporated into the presentation by the presenter, thus eliminating the need to do so in post-production. This is accomplished by the presenter making sure all essential information in the video is described in real time.
- They can be added post-production through a contracted provider.





## H-155 COLLEGE ACCESSIBILITY

Gateway Technical College is committed to creating a welcoming and accessible college with equal opportunity for employees, students, and guests of the college, including those with disabilities, by removing and preventing barriers to accessibility and meeting our obligations under the Americans with Disabilities Act and section 504 and 508 of the Rehabilitation Act of 1973. Gateway takes an inclusive approach to accessibility on campus, and all employees of the college have a shared responsibility for accessibility in college programs, services, activities, and facilities. Gateway's accessibility efforts focus on the following critical areas: academic programs, services, and activities; physical accessibility; services and programs for employees; technology, including web accessibility; and emergency preparedness and evacuation.

Adopted: April 17, 2019



## H-160 DRUG FREE WORKPLACE

### POLICY

The Drug Free Workplace Act of 1988 and Wisconsin State Statute, Chapter 161 Uniform Controlled Substances Act, requires Gateway Technical College to make a good faith effort to maintain a drug-free workplace environment. As an employer receiving more than \$25,000 in federal government funding, the District recognizes that violations to these state and federal statutes will have an impact on the proper functioning of the District. This policy applies to controlled substances, including alcohol.

1. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including alcohol, is prohibited.
2. Reporting to work under the influence of a controlled substance, including alcohol is prohibited.
3. All employees working directly under a federal grant or contract agree, as a condition of employment, to maintain a drug free environment.
4. As a condition of employment, all employees shall notify their supervisor of any "criminal drug statute conviction for a violation occurring in the workplace" within five (5) days.
5. All regular employees shall be provided a copy of this policy as included in the employee handbook.
6. All regular employees shall sign an acknowledgment and pledge to maintain a drug-free environment upon receiving an employee handbook.
7. The dispensing, sale, and use of alcoholic beverages at activities on or within District property is allowed subject to the approval of the president or designee.

### PROCEDURES

The Gateway District may provide a drug awareness program for students and employees that will inform, educate and provide referral assistance to a community drug abuse service. The drug awareness program may be conducted in cooperation with the county alcohol and drug abuse programs established under Section 51.42 of the Wisconsin Statutes.

1. Any employee reporting to work under the influence of a controlled substance, including alcohol will not be permitted to begin work. Employees who test positive will be subject to the provisions of the progressive discipline policy, up to and including separation. Upon being advised of an employee conviction for drug activity at the workplace, the supervisor will immediately notify the Talent and Culture department who must notify any relevant funding agency within ten (10) days from the date the employee notified their supervisor.
2. Within thirty (30) days of receiving notice of a conviction for drug activity within the workplace, Gateway shall:
  - a. take appropriate personnel action against the employee, up to and including separation, or,
  - b. require the employee to participate in an approved drug abuse assistance or rehabilitation program, and,
  - c. require the employee, upon their return from any drug abuse program, to remain drug free.
3. An Employee Assistance Program (EAP) is available to all eligible employees.

Adopted: October 12, 2009  
Supersedes: February 20, 1992  
Reaffirmed &/or Updated: January 2001, October 2019



## H-161: Drug and Alcohol Abuse Prevention Program (DAAPP)

The Drug-Free Schools and Communities Act of 1989 (20 U.S.C. § 1011i, 34 C.F.R. Part 86), requires that Gateway Technical College adopt and implement a drug and alcohol abuse prevention program (DAAPP) to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by all students and employees on College premises or as part of any of its activities. The DAAPP must be distributed annually to all students enrolled for academic credit and all employees.

The DAAPP must include:

- (1) Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on College property or as part of any of College activities;
- (2) A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol;
- (3) A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
- (4) A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
- (5) A clear statement that the institution will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct noted above.

The law further requires that the institution conduct a biennial review of its program with the following objectives:

- Determining the effectiveness of the program and implementing if they are needed; and
- To ensure that disciplinary sanctions are consistently enforced.

The biennial review must also include a determination as to:

- The number of drug- and alcohol-related violations and fatalities occurring on the campus or as part of their activities that are reported to campus officials; and
- The number and types of sanctions the IHEs impose on students or employees as a result of such violations or fatalities.

Gateway Technical College conducts a biennial review of the DAAPP on even-numbered years to meet these objectives and provide these statistics. Details regarding the Biennial Review can be found in Section VII **Error! Reference source not found..**

This DAAPP is intended to comply with the requirements of the Drug-Free Schools and Communities Act of 1989 and applies to all students and employees of the institution. Questions about this DAAPP should be directed to Josh Vollendorf, Director of Compliance, at [vollendorfi@gtc.edu](mailto:vollendorfi@gtc.edu), or by phone at 262-564-3062.

### I. STANDARDS OF CONDUCT



Gateway Technical College prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities. Specific policies applicable to students and employees are as follows:

### **Policies Applicable to Students**

#### Student Code of Conduct (J-300)

The Student Code of Conduct indicates that students may be subject to discipline, up to and including suspension or dismissal, for “use, under the influence of, possession, sale or distribution of narcotics or illegal drugs...alcoholic beverages, etc. on Gateway owned or leased property, or at Gateway sponsored activities.”

Furthermore, the Student Handbook indicates that “Any student who engages in an activity on District premises or at a District-sponsored event that constitutes a violation of State of Wisconsin Uniform Controlled Substances Act shall be subject to non-academic misconduct disciplinary sanctions. In determining the appropriate sanction, the College president, or designee, shall consider those penalties, including suspension and expulsion, that will contribute most effectively to maintaining a College environment free from controlled substances. In keeping with local, state, and federal laws, Gateway Technical College prohibits the possession, use, or distribution of drugs and alcohol by students while on College property or when involved in any College sponsored activity.”

### **Policies Applicable to Employees**

#### Drug Free Workplace (H-160)

##### **POLICY**

The Drug Free Workplace Act of 1988 and Wisconsin State Statute, Chapter 161 Uniform Controlled Substances Act, requires Gateway Technical College to make a good faith effort to maintain a drug-free workplace environment. As an employer receiving more than \$25,000 in federal government funding, the District recognizes that violations to these state and federal statutes will have an impact on the proper functioning of the District. This policy applies to controlled substances, including alcohol.

1. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, including alcohol, is prohibited.
2. Reporting to work under the influence of a controlled substance, including alcohol is prohibited.
3. All employees working directly under a federal grant or contract agree, as a condition of employment, to maintain a drug free environment.
4. As a condition of employment, all employees shall notify their supervisor of any “criminal drug statute conviction for a violation occurring in the workplace” within five (5) days.



5. All regular employees shall be provided a copy of this policy as included in the employee handbook.
6. All regular employees shall sign an acknowledgment and pledge to maintain a drug-free environment upon receiving an employee handbook.
7. The dispensing, sale, and use of alcoholic beverages at activities on or within District property is allowed subject to the approval of the president or designee.

## PROCEDURES

The Gateway District may provide a drug awareness program for students and employees that will inform, educate and provide referral assistance to a community drug abuse service. The drug awareness program may be conducted in cooperation with the county alcohol and drug abuse programs established under Section 51.42 of the Wisconsin Statutes.

1. Any employee reporting to work under the influence of a controlled substance, including alcohol will not be permitted to begin work. Employees who test positive will be subject to the provisions of the progressive counseling policy, up to and including separation. Upon being advised of an employee conviction for drug activity at the workplace, the supervisor will immediately notify the Human Resources department who must notify any relevant funding agency within ten (10) days from the date the employee notified their supervisor.
2. Within thirty (30) days of receiving notice of a conviction for drug activity within the workplace, Gateway shall:
  - a. take appropriate personnel action against the employee, up to and including separation, or
  - b. require the employee to participate in an approved drug abuse assistance or rehabilitation program, and
  - c. require the employee, upon their return from any drug abuse program, to remain drug free.
3. An Employee Assistance Program (EAP) is available to all eligible employees.

### Employee Code of Conduct (I-110)

The Employee Code of Conduct stipulates that "Possessing/distributing/using/selling drugs or unauthorized alcoholic beverages during working hours or while off the College premises in the performance of job duties." This type of conduct will not be tolerated under any circumstances and will result in immediate suspension pending investigation (leading to separation) for any employee or immediate separation if investigation is not applicable.

Furthermore, the Employee Code of Conduct notes that a violation of the Drug-Free Workplace Policy is considered unacceptable and may lead to disciplinary action up to and including separation.





## Policies Applicable to Students and Staff

### Tobacco-Free / Smoke-Free Policy (E-155)

#### SCOPE

This policy is applicable and extends coverage to all Gateway Technical College Campuses, Centers, and grounds with no exceptions at any time (24/7). A tobacco-free/smoke-free workplace will increase quality of life for employees, decrease absenteeism, and save on other health-related personnel costs. This policy applies to all devices including electronic cigarettes, e-cigarettes, or personal vaporizers that are alternatives to smoking tobacco products.

#### PURPOSE

To provide a tobacco-free / smoke-free environment for our staff, customers, and the general public, thereby fostering our wellness image. To communicate Gateway's commitment to providing a healthy tobacco-free / smoke-free work environment for current employees and to establish parameters for those employees who choose to continue to smoke. Tobacco/smoking use is the major preventable cause of premature death today, killing one third to one-half million Americans annually. Nonsmokers can also be harmed by the hazards of second-hand smoke. These adverse effects range from immediate reactions (eye irritation, headaches, and allergies) to long-term serious illness. Nonsmokers exposed to environmental tobacco smoke include an elevated risk of lung cancer or other disabling respiratory disease, and they also face a higher incidence of cardiovascular disease. Stringent workplace smoking restrictions are rapidly gaining favor in both the public and private sectors.

#### POLICY

1. Gateway Technical College is strongly committed to maintaining and improving the health and well-being of all employees and customers. It is, therefore, Gateway's policy that employees have the right to work in an environment free of the hazards of tobacco smoke.
2. To protect the health of our employees and customers, the following policy will be in effect as of August 1, 2007. This will eliminate an unnecessary potential hazard from our workplace and we will support all employees in choosing a healthful, non-tobacco use/nonsmoking way of life.
  - a. Use of tobacco and smoking is prohibited on all Gateway Campuses, which includes but is not limited to the following:
    - 1) All buildings, grounds, sidewalks, streets, parking lots, and structures.
    - 2) All Gateway owned and leased vehicles.
    - 3) All personal vehicles on Gateway property.

This policy applies to all devices, including electronic cigarettes, e-cigarettes, or personal vaporizers that are alternatives to smoking tobacco products.





## PROVISION

This policy is one of the most important steps that Gateway Technical College can take to safeguard the health of our employees and customers, for health-related issues and the escalating cost of health care remain a key priority on Gateway's agenda.

## ENFORCEMENT

Failure to comply with this policy will be dealt with through the college's disciplinary procedures. Students, staff, visitors, and tenants who breach the policy will be asked to stop smoking and will be asked to leave the premises if they fail to comply with this request. All breaches of this policy will be recorded in writing.

## II. LOCAL, STATE AND FEDERAL SANCTIONS

Students and employees who violate the standards of conduct outlined in this DAAPP are subject to both institutional sanctions (as outlined in Section V) as well as criminal sanctions provided under local, state and federal law. Pertinent criminal sanctions for unlawful possession, use, or distribution of illicit drugs and alcohol are outlined below.

Students and employees are cautioned that convictions for drug and alcohol violations may prevent individuals from entering many fields of employment.

### Local Sanctions

#### Alcohol

##### ***Burlington***

The City of Burlington City Ordinances prohibit possession on any public street, sidewalk, or in any motor vehicle on a public street, sidewalk or alley, any open container of alcohol. Additionally, no person under the age of 21 years shall have any concentration of alcohol in his/her blood while on a public street, sidewalk, alley or a parking lot (whether publicly or privately owned) that is open to the public; or on or in any motor vehicle in the same conditions. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (City of Burlington Ordinance 187-1 and 187-3).

##### ***Elkhorn***

The City of Elkhorn Code of Ordinances prohibit the carrying, exposing to view, any open can, bottle or container containing malt beverage or intoxicating liquor, or drink from the same, on any public walk, street, or in any park or other public place in the city without written permit from Common Council. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (City of Elkhorn Code of Ordinance 9.14). Ordinance 19.01.05 states that no person in any park shall bring, possess or consume any alcoholic beverage in the park unless the City Clerk has issued a special permit or



be in any park in an intoxicated state. (Ord. No. 02-02, § 1 (part). Violation of this ordinance can result in denial of park use or a fine.

### **Kenosha**

The City of Kenosha General Ordinances prohibit the serving, selling, giving or consumption of alcoholic beverages upon any public street, sidewalk or within a parked motor vehicle located on any street within the City of Kenosha. In addition, it is considered unlawful for a person to possess or consume alcohol upon any public walk, street, public park, other public place in the City or over which the City has any lease or jurisdiction, on any parking lot open to and available to the public, or within a parked vehicle located on any street within the City of Kenosha (unless specifically authorized by city ordinance). Persons violating any provision of this Chapter, authorized by Section 125.10, Wisconsin Statutes, shall not forfeit more than Five Hundred (\$500.00) Dollars per count, plus all applicable costs.

Alcohol is not allowed in nature areas within the city of Kenosha. Penalties for violating this ordinance, upon conviction, can result in a forfeiture of up to one thousand (\$1,000), plus applicable costs, and/or commitment to County Jail for a term not exceeding ninety (90) days.

Possess or consumption of Open Containers of alcoholic beverages within or upon any parking lot or facility or motor vehicle within an Outdoor Open Container Event (defined as a public event in a defined area of the city which because of adjacent zoning including but not limited to any combination of retail shops, galleries, bars, restaurants, entertainment venues and related businesses, located in any public area including the streets, sidewalks and right-of-ways located within the City of Kenosha where the possession and consumption of Fermented Malt Beverages and/or Wine from an open container is permitted subject to an approved application), is prohibited unless otherwise specifically permitted by state statute. Possession or consumption of alcoholic beverages by under age persons at an Outdoor Open Container Event is prohibited at all times unless otherwise permitted by law. A wristband issued by a licensed establishment is required for all individuals who possess or consume alcohol as such an event. Penalties upon conviction include a forfeiture of not less than two hundred dollars (\$200) and not more than five hundred (\$500), plus applicable costs and/or incarceration in the County Jail for no longer than ninety (90) days.

It is unlawful for any person(s) to host or allow and event or any other private or public property where alcohol or alcoholic beverages are present when the person knows that an underage person will or does consume any alcohol or alcoholic beverage; or possess any alcohol or alcoholic beverage with the intent to consume it; and the person fails to take reasonable steps to prevent possession or consumption by the underage person(s), unless specifically exempted under the ordinance. Penalties include a forfeiture of not less than one thousand dollars (\$1000) and nor more than five thousand (\$5000), plus applicable costs.







It is also unlawful for a person underage as defined in Section 125.02(20m), Wisconsin Statutes, to be under the influence of alcohol in the City of Kenosha, unless under the exceptions of Section 125.07(4)(b), Wisconsin Statutes (Kenosha Code of General Ordinances, 11.026).

### ***Racine***

The City of Racine Code of Ordinances prohibits the serving, selling, offering, giving or consumption of fermented malt beverage or intoxicating liquor while on any public street, sidewalk or within a parked motor vehicle located on any street within the City of Racine. In addition, it is considered unlawful for a person to possess or consume any fermented malt beverage or intoxicating liquor upon any public walk, street or within a parked vehicle located on any street within the city. Furthermore, it shall be unlawful for any person to consume, or to possess an open container containing, any fermented malt beverage or intoxicating liquor while upon the premises of any municipal parking lot or municipal parking facility, except when appropriately licensed (City of Racine Code of Ordinances 6-8).

Additionally, no person may procure for, sell, dispense or give away any alcoholic beverage to any underage person not accompanied by his parent, guardian or spouse who has attained the legal drinking age. No underage person, not accompanied by his parent, guardian or spouse who has attained the legal drinking age, shall knowingly possess or consume any alcoholic beverage. Additionally, no adult may intentionally encourage or contribute to an underage person possessing or consuming any alcoholic beverages. Violations of this provision is subject to a forfeiture of not more than \$500.00 if the person has not committed a previous violation within 12 months (City of Racine Code of Ordinances 6-6).

No intoxicating liquor, including wine, may be possessed or consumed in any city park, beach, playground, recreation area or boulevard, except as authorized by ordinance Sec. 70-89. No person shall bring into, possess or consume fermented malt beverages in any city park, playground, beach or recreation area, except in areas designated under this section and only upon written permission of the parks, recreation and cultural services commission, and except at such places as beverages are sold by licensees of the city and, except as otherwise provided in this section, in the Zoological Park, North Beach Park and Wustum Museum for specific events upon the specific approval of the common council. Persons in violation of this ordinance shall forfeit not less than twenty five (\$25.00) nor more than one thousand (\$1,000), together with the costs of prosecution. Any person charged under this section may, in lieu of a court appearance, forfeit the amount provided in section 70-1(b) at the police department.

### ***Sturtevant***

The Village of Sturtevant Municipal Code prohibits the selling, giving or offering to sell, serve or give to another person any alcohol while on any public street, alley or sidewalk or within a vehicle parked on any public street. Additionally, no individual may consume alcohol under the conditions as described above.



The Village of Sturtevant also prohibits underage consumption or possession, unless accompanied by their parent, guardian or spouse. The attempt to procure or procure alcohol, falsely represent age for the purpose of receiving alcohol; make, alter or duplicate an official identification card purporting to show attainment of the legal drinking age. Violations of this provision are subject to a forfeiture as set forth in 125.07(4) Wis. Stats. (Village of Sturtevant Municipal Code 9.155).

### ***Pleasant Prairie***

The Village of Pleasant Prairie Municipal Code prohibits the carrying or exposing to view any open can, bottle, or other container which contains intoxicating liquor, wine or fermented malt beverage or drink from the same on any public walk or street, in any park or other public place in the Village or over which the Village has any lease or legal jurisdiction, or on any parking lot open to and available to the public, unless such public place shall have issued to it a license for the sale or use of such beverage. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (Village of Pleasant Prairie Municipal Code 1-4).

The Village of Pleasant Prairie also prohibits underage persons from being under the influence of alcohol in the Village of Pleasant Prairie pursuant to any exceptions set forth in 125.07(4)(b) Wis. Stats. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (Village of Pleasant Prairie Municipal Code 1-4).

It is unlawful for any person(s) to host or allow an event or gathering at any residence, premises or on any other private or public property where alcohol or alcoholic beverages are present when the person knows that an underage person will or does consume any alcohol or alcoholic beverage, or possess any alcohol or alcoholic beverage with the intent to consume it, and the person fails to take reasonable steps to prevent possession or consumption by the underage person(s). A person who violates hosts or allows such an event or gathering is subject to a forfeiture of not less than \$1,000 or more than \$5,000, together with the costs of prosecution. A person who is in default of payment is subject to imprisonment in the county jail until the forfeiture and costs are paid.

### ***Racine County***

Except as permitted by ordinance, no person shall bring into, possess or consume any spirit, wine, fermented malt beverage or liquor in any county park, recreation area or parkway, unless designated by the county public works commission or where alcoholic beverages are sold by the county. Violation of this ordinance may result in a fine of twenty-five dollars (\$25).

### ***Kenosha County***

Except where permitted by ordinance, it shall be unlawful for any person to sell, bring, drink, possess, or give away any beer, or other intoxicating beverages within a county park except that designated employees of the Department of Public Works may sell



beer or wine to persons of legal drinking age for consumption only in areas specifically designated by the Committee. In addition, alcoholic beverages are not allowed in any dog parks.

### ***Walworth County***

Walworth County prohibits the possession of open intoxicants in any motor vehicle, in any County park or other County property without authorization from the Walworth County Board. IN addition, no person may possess open containers of fermented malt beverages or intoxicating liquors on any public walk, street, road, or highway within Walworth County unless the municipality allows such possession. Violations of this ordinance, upon conviction, may result in a forfeiture of not more than five hundred (\$500) plus costs.

Possession, use, sale or consumption of alcohol is prohibited in any County park or trail. Persons found guilty of violating this section shall forfeit not less than thirty dollars (\$30) nor more than one hundred (\$100) for a first offense, and not less than \$50.00 nor more than two hundred and fifty (\$250) for a second and any subsequent violations of this section, plus costs of prosecution for each violation.

### **Illicit Drugs**

#### ***Burlington***

The City of Burlington City Ordinances prohibit the carrying, possession or attempt to possess marijuana, THC, or a controlled substance analog, as that term is defined in 961.01(4), Wis. Stats. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (City of Burlington Ordinance 135-1).

#### ***Elkhorn***

The City of Elkhorn Code of Ordinances prohibits possession of Marijuana as defined in Section 961.01(14), Wis. Stats., in the amount of 25 grams or less. A person convicted of such a violation shall forfeit from \$50.00 to \$500.00 plus the cost of prosecution. Possession of amounts of marijuana exceeding 25 grams and/or subsequent violations for such offenses will continue to be referred to the District Attorney's office for State criminal prosecution (City of Elkhorn Code of Ordinance 9.18).

The City of Elkhorn Code of Ordinances prohibit the possession of THC, in any form, unless specifically excepted by federal regulations. Additionally, no person shall possess synthetic cannabinoids, in any form, unless excepted by federal regulations. A person convicted of such a violation shall forfeit from \$5.00 to \$500.00 for each offense and non-payment may be punishable but up to 90 days in County Jail (City of Elkhorn Code of Ordinance 9.17).

#### ***Kenosha***



The City of Kenosha General Ordinances prohibit the possession and use of small amounts of marijuana (1 ounce or 28 grams or less of marijuana). Further, city ordinances also prohibit any person to use or carry, or for any person, firm, party or corporation to possess marijuana. A person convicted of such a violation shall forfeit from \$10.00 to \$750.00 for each offense, plus the costs of prosecution, and in default thereof shall be committed to the County Jail for a period not to exceed ninety (90) days (Kenosha Code of General Ordinances, 11.146). Possession of amounts of marijuana exceeding 1 ounce or 28 grams and/or subsequent violations for such offenses will continue to be referred to the District Attorney's office for State criminal prosecution.

It is also unlawful to possess, purchase, display for sale, attempt to sell, sell, give back or use any chemical derivative of marijuana, or any other substance, designed to mimic the physical, psychological, intoxicating, narcotic or other effects of marijuana. Penalties for these violations include forfeiture of not less than \$100.00 nor more than \$750.00 for each offense, plus the cost of prosecution, and upon default shall be imprisoned in the county jail or house of correction for a period not to exceed ninety (90) days (Kenosha Code of General Ordinances, 11.147).

### ***Racine***

The City of Racine Municipal Codes prohibit the possession of small amounts of marijuana (25 grams or less) unless the substance was obtained in accordance with Wis. Stats. Ch. 961. A person convicted of a violation shall forfeit \$75.00 plus court fees. Possession of amounts of marijuana exceeding 25 grams and/or subsequent violations for such offenses will continue to be referred to the District Attorney's office for State criminal prosecution (Racine Municipal Code 66-261).

The City of Racine Municipal Codes also prohibit the use, possession, purchase or attempt to purchase, sale, public display, and give or barter of any one or more of what is considered a synthetic cannabinoid product. A person convicted of a violation shall forfeit \$300.00 for the possession, public display, attempt to sell, or bartering and \$2,500.00 for the sale of synthetic cannabinoid (Racine Municipal Code 66-262).

### ***Sturtevant***

The Village of Sturtevant Municipal Codes prohibit the possession, use or keeping of any Marijuana, THC, or synthetic cannabinoid. Penalties for this violation include forfeiture of not less than \$100.00 nor more than \$500.00 and in default of payment shall be imprisoned in the county jail not more than 30 days (Village of Sturtevant Municipal Code 9.12).

### ***Pleasant Prairie***

The Village of Pleasant Prairie via their municipal code, adopted the following state statutes in reference to their local drug laws: 961.14(4)(t) to 961.41, 961.573, 961.574, 961.575, and 961.576. The penalty associated with these violations shall be limited to a forfeiture imposed under Chapter 1 of the Municipal Code (Village of Pleasant Prairie Municipal Code 250-1).

***County of Walworth***

No person or entity shall possess, purchase, display for sale, attempt to sell, give, barter or use any chemical derivative of marijuana or any other substance designed to mimic the physical, psychological, intoxicating, narcotic, or other effects of marijuana, except if done by or under the direction or prescription of a licensed physician, dentist, or other medical health professional authorized to direct or prescribe such acts, provided such use is permitted under state and federal laws. Any person or entity violating this section shall be required to forfeit not less than two hundred dollars (\$200) nor more than one thousand dollars (\$1,000). Any person or entity who violates this section by offering synthetic marijuana for sale, displaying it for sale, or selling it shall be required to forfeit not less than four hundred (\$400) nor more than two thousand dollars (\$2,000).

***County of Racine***

It is unlawful for any person to carry, possess or use marijuana or synthetic marijuana as those substances are defined in either W.S.A., § 961.01 or have been placed on an emergency schedule by the US DEA administrator, unless such substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner filled out in the course of his professional practice, or except as otherwise authorized by W.S.A., ch. 961. Violations of this ordinance may result in a forfeiture of one hundred dollars (\$100).

**State Sanctions****Alcohol**

It is a violation of Wisconsin law for any person to procure for, sell, dispense or give away any alcoholic beverages to any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age. Furthermore, no adult may knowingly permit or fail to take action to prevent the illegal consumption of alcoholic beverages by an underage person on property, including any premises, owned and occupied by the adult or occupied by the adult and under the adult's control. Penalties for these offenses range from a fine not greater than \$500 (for a first violation with a mandatory license/permit suspension of up to 3 days, but subsequent violations can result in a fine of up to \$10,000, license/permit suspension of up to 30 days, and/or up to 9 months of imprisonment depending on the frequency of violations and the amount of time between them ([Wis. Stat. 125.07](#))).

It is also a violation of law for an underage person to: procure or attempt to procure alcohol beverages from a licensee or permittee; to enter, knowingly attempt to enter, or be on any premises of a licensee/permittee; to falsely represents his or her age for the purpose of receiving alcohol beverages from a licensee or permittee; or to otherwise knowingly possess or consume alcohol beverages. First-time violations of these provisions can include a fine of \$250-\$500, suspension of the person's driver's license/permit, and/or mandated participation in a supervised work program or other



community service. Repeated violations may result in fines of up to \$1,000 in addition to suspension of the person's driver's license/permit and/or mandated participation in a supervised work program or other community service ([Wis. Stat. 125.07\(4\)](#)).

### **Illicit Drugs**

State law penalties pertaining to the unlawful possession or distribution of controlled substances originate from the Wisconsin Uniform Controlled Substances Act ([Wis. Stat. 961](#)). This act stipulates that it is unlawful for any person to manufacture, distribute or deliver a controlled substance or controlled substance analog. It is also unlawful for any person to possess, with intent to manufacture, distribute or deliver, a controlled substance or a controlled substance analog. Penalties vary based on the schedule, type, and amount of the controlled substance at issue; whether the person possessed, manufactured, distributed, or delivered a controlled substance unlawfully (or intended to do so); and the number of previous offenses committed by a person. Specific penalties are contained in the "Offenses and Penalties" subchapter of the Wisconsin Uniform Controlled Substances Act (Wis. Stat. [961.41](#), [961.42](#), and [961.43](#)). Generally, penalties for these offenses range from Class C felonies to Class I felonies, which carry the following penalties:

- For a Class C felony, a fine not to exceed \$100,000 or imprisonment not to exceed 40 years, or both.
- For a Class D felony, a fine not to exceed \$100,000 or imprisonment not to exceed 25 years, or both.
- For a Class E felony, a fine not to exceed \$50,000 or imprisonment not to exceed 15 years, or both.
- For a Class F felony, a fine not to exceed \$25,000 or imprisonment not to exceed 12 years and 6 months, or both.
- For a Class G felony, a fine not to exceed \$25,000 or imprisonment not to exceed 10 years, or both.
- For a Class H felony, a fine not to exceed \$10,000 or imprisonment not to exceed 6 years, or both.
- For a Class I felony, a fine not to exceed \$10,000 or imprisonment not to exceed 3 years and 6 months, or both.

### **Federal Sanctions**

The Federal *Controlled Substance Act* proscribes federal penalties and sanctions for illegal trafficking and possession of a controlled substance. A summary of this information is available online at:

[https://www.dea.gov/sites/default/files/2018-06/drug\\_of\\_abuse.pdf](https://www.dea.gov/sites/default/files/2018-06/drug_of_abuse.pdf) and included as Appendix 1 to this policy. A separate summary of penalties and sanctions pertaining to Marijuana, also available online at the aforementioned link, is included as Appendix 2 to this DAAPP.

### **Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance**



### ***Sentencing Provisions (21 U.S.C. 844(a))***

- 1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.
- After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.
- After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.

### ***Forfeitures***

- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack) 21 U.S.C. 853(a)(2) and 881(a)(7)
- Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance. 21 U.S.C. 881(a)(4)

### ***Denial of Federal Benefits***

- Denial of Federal benefits, such as contracts and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses. 21 U.S.C. 853a

### ***Miscellaneous***

- Ineligible to receive or purchase a firearm. Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies. Note: These are only Federal penalties and sanctions.

## **III. HEALTH RISKS**

### Health Risks Associated with Illicit Drug Use

The *Controlled Substances Act* (CSA) places all substances which were in some manner regulated under existing federal law into one of five schedules. This placement is based upon the substance's medical use, potential for abuse, and safety or dependence liability. A description of each schedule is included below:

### **Schedule I**

- The drug or other substance has a high potential for abuse.
- The drug or other substance has no currently accepted medical use in treatment in the United States.





- There is a lack of accepted safety for use of the drug or other substance under medical supervision.
- Examples of Schedule I substances include heroin, gamma hydroxybutyric acid (GHB), lysergic acid diethylamide (LSD), marijuana, and methaqualone.

### **Schedule II**

- The drug or other substance has a high potential for abuse.
- The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.
- Abuse of the drug or other substance may lead to severe psychological or physical dependence.
- Examples of Schedule II substances include morphine, phencyclidine (PCP), cocaine, methadone, hydrocodone, fentanyl, and methamphetamine.

### **Schedule III**

- The drug or other substance has less potential for abuse than the drugs or other substances in Schedules I and II.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.
- Anabolic steroids, codeine and hydrocodone products with aspirin or Tylenol®, and some barbiturates are examples of Schedule III substances.

### **Schedule IV**

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.
- Examples of drugs included in Schedule IV are alprazolam, clonazepam, and diazepam.

### **Schedule V**

- The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV.
- The drug or other substance has a currently accepted medical use in treatment in the United States.
- Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV.
- Cough medicines with codeine are examples of Schedule V drugs.







The Controlled Substances Act (CSA) regulates five classes of drugs:

- Narcotics,
- Depressants,
- Stimulants,
- Hallucinogens and
- Anabolic steroids.

Each class has distinguishing properties, and drugs within each class often produce similar effects. However, all controlled substances, regardless of class, share a number of common features. All controlled substances have abuse potential or are immediate precursors to substances with abuse potential. With the exception of anabolic steroids, controlled substances are abused to alter mood, thought, and feeling through their actions on the central nervous system (brain and spinal cord). Some of these drugs alleviate pain, anxiety, or depression. Some induce sleep and others energize. Though some controlled substances are therapeutically useful, the “feel good” effects of these drugs contribute to their abuse. The extent to which a substance is reliably capable of producing intensely pleasurable feelings (euphoria) increases the likelihood of that substance being abused.

The following chart summarizes each class’s legal status, effects on the mind, effects on the body and effects of overdose.





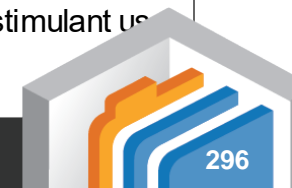


Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
<p><b>Narcotics</b> Also known as “opioids,” the term “narcotic” comes from the Greek word for “stupor” and originally referred to a variety of substances that dulled the senses and relieved pain. Though some people still refer to all drugs as “narcotics,” today “narcotic” refers to opium, opium derivatives, and their semi-synthetic substitutes. A more current term for these drugs, with less uncertainty regarding its meaning, is “opioid.” Examples include the illicit drug heroin and pharmaceutical drugs like OxyContin®, Vicodin®, codeine, morphine, methadone, and fentanyl.</p>	<p>Narcotics/opioids are controlled substances that vary from Schedule I to Schedule V, depending on their medical usefulness, abuse potential, safety, and drug dependence profile. Schedule I narcotics, like heroin, have no medical use in the U.S. and are illegal to distribute, purchase, or use outside of medical research.</p>	<p>Besides their medical use, narcotics/opioids produce a general sense of well-being by reducing tension, anxiety, and aggression. These effects are helpful in a therapeutic setting but contribute to the drugs’ abuse. Narcotic/opioid use comes with a variety of unwanted effects, including drowsiness, inability to concentrate, and apathy.</p> <p>Use can create psychological dependence. Long after the physical need for the drug has passed, the addict may continue to think and talk about using drugs and feel overwhelmed coping with daily activities. Relapse is common if there are not changes to the physical environment or the behavioral motivators that prompted the abuse in the first place.</p>	<p>Narcotics/opioids are prescribed by doctors to treat pain, suppress cough, cure diarrhea, and put people to sleep. Effects depend heavily on the dose, how it’s taken, and previous exposure to the drug. Negative effects include: Slowed physical activity, constriction of the pupils, flushing of the face and neck, constipation, nausea, vomiting, and slowed breathing</p> <p>As the dose is increased, both the pain relief and the harmful effects become more pronounced. Some of these preparations are so potent that a single dose can be lethal to an inexperienced user. However, except in cases of extreme intoxication, there is no loss of motor coordination or slurred</p>	<p>Overdoses of narcotics are not uncommon and can be fatal. Physical signs of narcotics/opioid overdose include: Constricted (pinpoint) pupils, cold clammy skin, confusion, convulsions, extreme drowsiness, and slowed breathing</p>



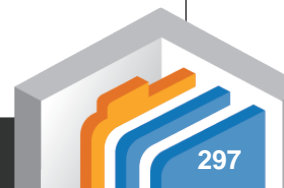


Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
			speech. Physical dependence is a consequence of chronic opioid use, and withdrawal takes place when drug use is discontinued. The intensity and character of the physical symptoms experienced during withdrawal are directly related to the particular drug used, the total daily dose, the interval between doses, the duration of use and the health and personality of the user.	
<b>Stimulants</b> <b>Stimulants speed up the body's systems. this class of drugs includes:</b> <b>Prescription drugs such as amphetamines [Adderall® and dexedrine®], methylphenidate [Concerta® and Ritalin®], diet aids [such as didrex®, Bontril®, Preludin®, Fastin®, Adipex P®, ionamin®, and Meridia®]</b>	A number of stimulants have no medical use in the United States but have a high potential for abuse. These stimulants are controlled in Schedule I. Some prescription stimulants are not controlled, and some stimulants like tobacco and caffeine don't require a prescription — though society's recognition of their	When used as drugs of abuse and not under a doctor's supervision, stimulants are frequently taken to: Produce a sense of exhilaration, enhance self-esteem, improve mental and physical performance, increase activity, reduce appetite, extend wakefulness for prolonged period, and "get high".	Stimulants are sometimes referred to as uppers and reverse the effects of fatigue on both mental and physical tasks. Therapeutic levels of stimulants can produce exhilaration, extended wakefulness, and loss of appetite. These effects are greatly intensified when large doses of stimulants are taken.	In overdose, unless there is medical intervention, high fever, convulsions, and cardiovascular collapse may precede death. Because accidental death is partially due to the effects of stimulants on the body's cardiovascular and temperature-regulating systems, physical exertion increases the hazards of stimulant use.



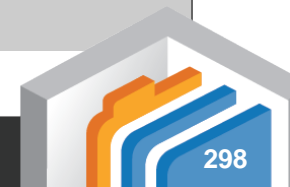


Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
and illicitly produced drugs such as methamphetamine, cocaine, and methcathinone.	<p>adverse effects has resulted in a proliferation of caffeine-free products and efforts to discourage cigarette smoking.</p> <p>Stimulant chemicals in over-the-counter products, such as ephedrine and pseudoephedrine can be found in allergy and cold medicine. As required by The Combat Methamphetamine Epidemic Act of 2005, a retail outlet must store these products out of reach of customers, either behind the counter or in a locked cabinet. Regulated sellers are required to maintain a written or electronic form of a logbook to record sales of these products. In order to purchase these products, customers must now show a</p>	<p>Chronic, high-dose use is frequently associated with agitation, hostility, panic, aggression, and suicidal or homicidal tendencies. Paranoia, sometimes accompanied by both auditory and visual hallucinations, may also occur.</p> <p>Tolerance, in which more and more drugs are needed to produce the usual effects, can develop rapidly, and psychological dependence occurs. In fact, the strongest psychological dependence observed occurs with the more potent stimulants, such as amphetamine, methylphenidate, methamphetamine, cocaine and methcathinone.</p> <p>Abrupt cessation is commonly followed by depression, anxiety, drug craving, and extreme fatigue, known as a "crash."</p>	<p>Taking too large a dose at one time or taking large doses over an extended period of time may cause such physical side effects as: Dizziness, tremors, headache, flushed skin, chest pain with palpitations, excessive sweating, vomiting, and abdominal cramps.</p>	





Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
	photo identification issued by a state or federal government. They are also required to write or enter into the logbook: their name, signature, address, date, and time of sale. In addition to the above, there are daily and monthly sales limits set for customers.			
<b>Depressants</b> <b>Depressants will put you to sleep, relieve anxiety and muscle spasms, and prevent seizures. Barbiturates are older drugs and include butalbital (Fiorina®), phenobarbital, Pentothal®, Seconal® and Nembutal®. You can rapidly develop dependence on and tolerance to barbiturates, meaning you need more and more of them to feel and function normally. This makes them unsafe, increasing the likelihood of coma or death.</b>	<p>Most depressants are controlled substances that range from Schedule I to Schedule IV under the Controlled Substances Act, depending on their risk for abuse and whether they currently have an accepted medical use. Many of the depressants have FDA-approved medical uses.</p> <p>Rohypnol® is not manufactured or legally marketed in the United States.</p>	<p>Depressants used therapeutically do what they are prescribed for: to put you to sleep, relieve anxiety and muscle spasms, and prevent seizures. They also: Cause amnesia, leaving no memory of events that occur while under the influence, reduce your reaction time, impair mental functioning and judgment, and cause confusion. Long-term use of depressants produces psychological dependence and tolerance.</p>	<p>Some depressants can relax the muscles. Unwanted physical effects include: Slurred speech, loss of motor coordination, weakness, headache, lightheadedness, blurred vision, dizziness, nausea, vomiting, low blood pressure, and slowed breathing</p> <p>Prolonged use of depressants can lead to physical dependence even at doses recommended for medical treatment. Unlike barbiturates,</p>	<p>High doses of depressants or use of them with alcohol or other drugs can slow heart rate and breathing enough to cause death.</p>





Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
<p><b>Benzodiazepines</b> were developed to replace barbiturates, though they still share many of the undesirable side effects. Some examples are <b>Valium®</b>, <b>Xanax®</b>, <b>Halcion®</b>, <b>Ativan®</b>, <b>Klonopin®</b> and <b>Restoril®</b>. <b>Rohypnol®</b> is a benzodiazepine that is not manufactured or legally marketed in the United States, but it is used illegally. <b>Ambien®</b> and <b>Sonata®</b> are sedative-hypnotic medications approved for the short-term treatment of insomnia that share many of the properties of benzodiazepines. Other CNS depressants include meprobamate, methaqualone (<b>Quaalude®</b>), and the illicit drug GHB.</p>			<p>large doses of benzodiazepines are rarely fatal unless combined with other drugs or alcohol. But unlike the withdrawal syndrome seen with most other drugs of abuse, withdrawal from depressants can be life threatening.</p>	
<p><b>Hallucinogens</b> <b>Hallucinogens are found in plants and fungi or are synthetically produced</b></p>	<p>Many hallucinogens are Schedule I under the Controlled Substances Act,</p>	<p>Sensory effects include perceptual distortions that vary with dose, setting, and mood. Psychic</p>	<p>Physiological effects include elevated heart rate, increased blood pressure, and dilated</p>	<p>Deaths exclusively from acute overdose of LSD, magic mushrooms, and mescaline are extremely</p>





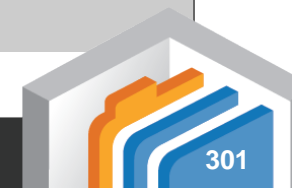
Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
<p>and are among the oldest known group of drugs used for their ability to alter human perception and mood. Hallucinogens include:</p> <ul style="list-style-type: none"> <li>• Ecstasy/MDMA</li> <li>• K2 /Spice</li> <li>• Ketamine</li> <li>• LSD</li> <li>• Peyote &amp; Mescaline</li> <li>• Psilocybin</li> <li>• Marijuana/Cannabis (addressed as its own class in this table)</li> </ul>	<p>meaning that they have a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision.</p>	<p>effects include distortions of thought associated with time and space. Time may appear to stand still, and forms and colors seem to change and take on new significance. Weeks or even months after some hallucinogens have been taken, the user may experience flashbacks — fragmentary recurrences of certain aspects of the drug experience in the absence of actually taking the drug. The occurrence of a flashback is unpredictable, but is more likely to occur during times of stress and seems to occur more frequently in younger individuals. With time, these episodes diminish and become less intense.</p>	<p>pupils.</p>	<p>rare. Deaths generally occur due to suicide, accidents, and dangerous behavior, or due to the person inadvertently eating poisonous plant material. A severe overdose of PCP and ketamine can result in: respiratory depression, coma, convulsions, seizures, and death due to respiratory arrest</p>
<p><b>Marijuana/Cannabis</b></p> <p><b>Marijuana is classified in the Controlled Substances Act as a hallucinogen. Marijuana is a</b></p>	<p>Marijuana is a Schedule I substance under the Controlled Substances Act, meaning that it has a high potential for abuse, no currently</p>	<p>When marijuana is smoked, the THC passes from the lungs and into the bloodstream, which carries the chemical to the organs throughout the body, including the brain.</p>	<p>Short-term physical effects from marijuana use may include: Sedation, bloodshot eyes, increased heart rate, coughing from lung irritation, increased</p>	<p>No death from overdose of marijuana has been reported.</p>





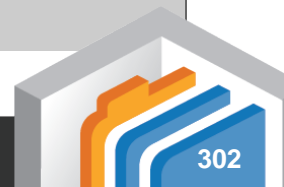


Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
<b>mind-altering (psychoactive) drug, produced by the Cannabis sativa plant. Marijuana contains over 480 constituents. THC (delta-9-tetrahydrocannabinol) is believed to be the main ingredient that produces the psychoactive effect.</b>	<p>accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision.</p> <p>Marinol, a synthetic version of THC, the active ingredient found in the marijuana plant, can be prescribed for the control of nausea and vomiting caused by chemotherapeutic agents used in the treatment of cancer and to stimulate appetite in AIDS patients. Marinol is a Schedule III substance under the Controlled Substances Act.</p>	<p>In the brain, the THC connects to specific sites called cannabinoid receptors on nerve cells and influences the activity of those cells. Many of these receptors are found in the parts of the brain that influence: Pleasure, memory, thought, concentration, sensory and time perception, and coordinated movement. The short-term effects of marijuana include: Problems with memory and learning, distorted perception, difficulty in thinking and problem-solving, and loss of coordination. The effect of marijuana on perception and coordination are responsible for serious impairments in learning, associative processes, and psychomotor behavior (driving abilities). Long term, regular use can lead to physical dependence and withdrawal following discontinuation, as well as</p>	<p>appetite, and decreased blood pressure Like tobacco smokers, marijuana smokers experience serious health problems such as bronchitis, emphysema, and bronchial asthma. Extended use may cause suppression of the immune system. Because marijuana contains toxins and carcinogens, marijuana smokers increase their risk of cancer of the head, neck, lungs, and respiratory tract. Withdrawal from chronic use of high doses of marijuana causes physical signs including headache, shakiness, sweating, and stomach pains and nausea. Withdrawal symptoms also include behavioral signs such as: Restlessness, irritability, sleep difficulties, and decreased appetite</p>	



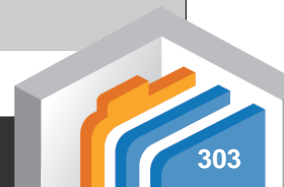


Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
		<p>psychic addiction or dependence. Clinical studies show that the physiological, psychological, and behavioral effects of marijuana vary among individuals and present a list of common responses to cannabinoids, as described in the scientific literature:</p> <ul style="list-style-type: none"><li>• Dizziness, nausea, tachycardia, facial flushing, dry mouth and tremor initially</li><li>• Merriment, happiness, and even exhilaration at high doses</li><li>• Disinhibition, relaxation, increased sociability, and talkativeness</li><li>• Enhanced sensory perception, giving rise to increased appreciation of music, art, and touch</li><li>• Heightened imagination leading to a subjective sense of increased creativity</li><li>• Time distortions</li><li>• Illusions, delusions, and</li></ul>		



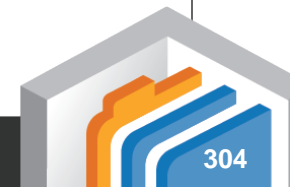


Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
		<p>hallucinations are rare except at high doses</p> <ul style="list-style-type: none"><li>● Impaired judgment, reduced coordination, and ataxia, which can impede driving ability or lead to an increase in risk-taking behavior</li><li>● Emotional lability, incongruity of affect, dysphoria, disorganized thinking, inability to converse logically, agitation, paranoia, confusion, restlessness, anxiety, drowsiness, and panic attacks may occur, especially in inexperienced users or in those who have taken a large dose</li><li>● Increased appetite and short-term memory impairment are common</li></ul> <p>Researchers have also found an association between marijuana use and an increased risk of depression, an increased risk and earlier onset of schizophrenia, and other</p>		



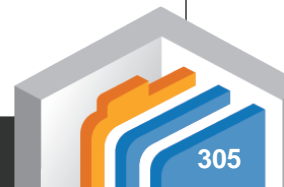


Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
		psychotic disorders, especially for teens that have a genetic predisposition.		
<b>Steroids</b> <b>Anabolic steroids are synthetically produced variants of the naturally occurring male hormone testosterone that are abused in an attempt to promote muscle growth, enhance athletic or other physical performance, and improve physical appearance. Testosterone, nandrolone, stanozolol, methandienone, and boldenone are some of the most frequently abused anabolic steroids.</b>	Anabolic steroids are Schedule III substances under the Controlled Substances Act. Only a small number of anabolic steroids are approved for either human or veterinary use. Steroids may be prescribed by a licensed physician for the treatment of testosterone deficiency, delayed puberty, low red blood cell count, breast cancer, and tissue wasting resulting from AIDS.	Case studies and scientific research indicate that high doses of anabolic steroids may cause mood and behavioral effects. In some individuals, steroid use can cause dramatic mood swings, increased feelings of hostility, impaired judgment, and increased levels of aggression (often referred to as "roid rage") When users stop taking steroids, they may experience depression that may be severe enough to lead one to commit suicide. Anabolic steroid use may also cause psychological dependence and addiction.	<p>A wide range of adverse effects is associated with the use or abuse of anabolic steroids. These effects depend on several factors including: Age, sex, the anabolic steroid used, amount used, and duration of use.</p> <p>In adolescents, anabolic steroid use can stunt the ultimate height that an individual achieves.</p> <p>In boys, steroid use can cause early sexual development, acne, and stunted growth.</p> <p>In adolescent girls and women, anabolic steroid use can induce permanent physical changes, such as deepening of the voice, increased facial and body hair growth,</p>	Anabolic steroids are not associated with overdoses. The adverse effects a user would experience develop from the use of steroids over time.



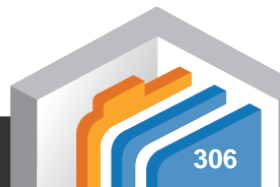


Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
			<p>menstrual irregularities, male pattern baldness, and lengthening of the clitoris.</p> <p>In men, anabolic steroid use can cause shrinkage of the testicles, reduced sperm count, enlargement of the male breast tissue, sterility, and an increased risk of prostate cancer.</p> <p>In both men and women, anabolic steroid use can cause high cholesterol levels, which may increase the risk of coronary artery disease, strokes, and heart attacks. Anabolic steroid use can also cause acne and fluid retention. Oral preparations of anabolic steroids, in particular, can damage the liver.</p> <p>Abusers who inject steroids run the risk of contracting various infections due to</p>	





Class of Substance	Legal Status in the United States	Effects on the Mind	Effects on the Body	The Effects of Overdose
			non-sterile injection techniques, sharing of contaminated needles, and the use of steroid preparations manufactured in non-sterile environments. All these factors put users at risk for contracting viral infections such as HIV/AIDS or hepatitis B or C, and bacterial infections at the sight of injection. Abusers may also develop endocarditis, a bacterial infection that causes a potentially fatal inflammation of the heart lining.	





### Health Risks Associated with Alcohol Abuse

The consequences associated with alcohol abuse among college students are far reaching. According to the National Institute on Alcohol Abuse and Alcoholism, “Students who engage in risky drinking may experience blackouts (i.e., memory loss during periods of heavy drinking); fatal and nonfatal injuries, including falls, drownings, and automobile crashes; illnesses; missed classes; unprotected sex that could lead to a sexually transmitted disease or an unwanted pregnancy; falling grades and academic failure; an arrest record; accidental death; and death by suicide. In addition, college students who drink to excess may miss opportunities to participate in the social, athletic, and cultural activities that are part of college life.”

The risks are not just limited to students. The Centers for Disease Control and Prevention identifies the following short-term and long-term health risks related to alcohol use and abuse:

### Short-Term Health Risks

Excessive alcohol use has immediate effects that increase the risk of many harmful health conditions. These are most often the result of binge drinking and include the following:

- Injuries, such as motor vehicle crashes, falls, drownings, and burns.
- Violence, including homicide, suicide, sexual assault, and intimate partner violence.
- Alcohol poisoning, a medical emergency that results from high blood alcohol levels.
- Risky sexual behaviors, including unprotected sex or sex with multiple partners. These behaviors can result in unintended pregnancy or sexually transmitted diseases, including HIV.
- Miscarriage and stillbirth or fetal alcohol spectrum disorders (FASDs) among pregnant women.

### Long-Term Health Risks

Over time, excessive alcohol use can lead to the development of chronic diseases and other serious problems including:

- High blood pressure, heart disease, stroke, liver disease, and digestive problems.
- Cancer of the breast, mouth, throat, esophagus, liver, and colon.
- Learning and memory problems, including dementia and poor school performance.
- Mental health problems, including depression and anxiety.
- Social problems, including lost productivity, family problems, and unemployment.
- Alcohol dependence, or alcoholism.

### Educational Consequences of Alcohol and Other Drug Abuse

There are numerous educational consequences associated with alcohol and other drug abuse. About 25 percent of college students report academic consequences of their drinking, including missing class, falling behind, doing poorly on exams or papers, and receiving lower grades. A post-college study found binge drinking in college to be



associated with academic attrition, early departure from college, and lower earnings in post-college employment. Additionally, a study found that college students who used marijuana were more likely to put themselves in physical danger when under the influence, experience concentration problems, and miss class.

“Substance misuse among college students has frequent and severe negative consequences. These consequences include violent and sometimes fatal effects. Much of the research on the consequences of college student substance misuse focuses on alcohol. A 2009 estimate of annual immediate physical harm as a result of alcohol use among college students aged 18 to 24 included 1,825 deaths, 599,000 unintentional injuries, and 696,000 students assaulted by another student who has been drinking. While most injury and death among college students is unintentional, some students consider taking their own lives and some of them attempt it. Studies show a strong connection between suicidal behavior and substance use in both the college and general populations. Substance use also can damage students’ health. Consequences of excessive drinking include sleep issues and depression. Substance use among college students also often progresses to the level of a disorder. In, 2015 one in seven full-time college students aged 18 to 22 (14.6 percent) met the criteria for past-year had a substance use disorder. Substance use disorders cause significant impairment, such as health problems, disability, and failure to meet major responsibilities at work, school, or home.

Alcohol use also plays a large role in sex-related harm among college students. College students are more likely to engage in unprotected sex when drunk or high and are more likely to engage in sexual activity with someone they just met. In a study of undergraduates, 42 percent reported engaging in unplanned sexual activity in the past year as a result of their alcohol use. Each year, an estimated 97,000 college students are victims of alcohol-related sexual assault that includes rape as well as forced touching or kissing. Sexual assault often is linked to substance use by victims as well as by perpetrators. Students who misuse alcohol or use illicit drugs are also more likely than students who abstain to have difficulty meeting academic responsibilities. Consequences of college substance use include falling behind in studies, getting poor grades, and dropping out. More broadly, the impact of substance misuse on students’ academic performance undermines the very purpose of higher education and the financial sacrifices families make for it. College substance use may bring disciplinary penalties imposed by schools. In addition to non-punitive actions such as substance misuse education, counseling, and treatment, students may be subject to disciplinary action, including suspension and expulsion from the college. Such actions may be based on substance use or on other violations of college standards, such as damaging property and causing or threatening physical harm. Moreover, substance use often has legal consequences. Students may be arrested for alcohol and drug violations, fighting, and damaging property. Finally, substance-using college students often diminish the quality of campus life for other students, many of whom report having study and sleep time interrupted and having personal property damaged and destroyed because of intoxicated students.”







#### IV. ALCOHOL AND OTHER DRUG PROGRAMS AND RESOURCES

If a student has a drug or alcohol problem, Gateway highly recommends that they seek assistance from the Student Support Counselors. These private and confidential counseling for students is free of charge at the Elkhorn, Kenosha, and Racine Campuses. Gateway Student Support Counselors have Master's Degrees in Counseling or Social Work, are licensed by the State of Wisconsin, and are members of relevant professional organizations.

Generally, students are seen on an appointment basis. Walk-in hours are also offered weekly on each campus. To schedule an appointment, contact Student Services at 1-800-247-7122.

Short-term counseling is available, with referrals to community partners for long term needs.

Employees can access additional confidential Alcohol and Other Drug Abuse (AODA) services and referrals through the college's Employee Assistance Program (EAP). This can include free or reduced cost counseling sessions. The EAP provider can be reached by contacting 1-800-540-3758 or by emailing [eap@ascension.org](mailto:eap@ascension.org).

Students and employees are encouraged to access the Substance Abuse and Mental Health Services Administration (SAMHSA) Treatment Locator, a confidential and anonymous source of information for persons seeking treatment facilities in the United States or U.S. Territories for substance abuse/addiction and/or mental health problems. To access this resource, visit [FindTreatment.gov](https://www.findtreatment.gov) or by calling the SAMHSA National Helpline at 800-662-4357.

Cultural factors can impact substance abuse and finding a provider that understands these factors and can tailor treatment is an important consideration. In addition, finding a culturally competent provider can impact the success of therapy.

Students and employees seeking information regarding Self-Help, Peer Support, and Consumer Groups related to addiction (such as Alcoholics Anonymous, Narcotics Anonymous, Marijuana Anonymous, and others) are encouraged to call the SAMHSA National Helpline at 800-662-4357.

In addition to these resources, students and employees are advised of the availability of the following alcohol and other drug resources in the community.

Kenosha County	<p>National helpline (referral and assistance for AODA issues), English and Spanish assistance: 1-800-662-HELP</p> <p><b>Birds of a Feather Inc</b> 6530 Sheridan Road</p>
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	<p>Suite 2 Kenosha, WI 53143 Main Tel: 262-605-8442 Intake Tel 2: 262-605-1444</p> <p><b>Kenosha County Department of Human Services, Mental Health and Substance Abuse Counseling</b> 262-657-7188</p> <p><b>Oakwood Clinical Associates Ltd</b> 4109 67th Street Kenosha, WI 53142 Main Tel: 262-652-9830</p> <p><b>Psychiatric and Psychotherapy Clinic</b> 3601 30th Avenue Suite 102 Kenosha, WI 53144 Main Tel: 262-654-0487</p> <p><b>Rogers Memorial Hospital</b> 9916 75th St #205 Kenosha, WI 53142 262-942-4000</p>
Racine County	<p>National helpline (referral and assistance for AODA issues), English and Spanish assistance: 1-800-662-HELP</p> <p><b>Ascension All Saints Mental Health and Addiction Care</b> 1320 Wisconsin Avenue Racine, WI 53403 Main Tel: 262-687-2380 Intake Tel 1: 262-687-2273</p> <p><b>Genesis Behavioral Services Inc Spring Place</b> 1725 Spring Place Racine, WI 53404 Main Tel: 414-909-8757 Intake Tel 1: 414-892-4961</p> <p><b>Center for Addiction Recovery</b> 3805-B Spring Street Suite LL-20 Racine, WI 53405 Main Tel: 262-687-2222</p>





	<p><b>Lakeside Family Therapy Services</b> 4810 Northwestern Avenue Racine, WI 53406 Main Tel: 262-637-9984</p> <p><b>Racine Comp Treatment Center</b> 5735 Durand Avenue Suite A Racine, WI 53406 Main Tel: 888-978-1329 Intake Tel 1: 877-329-8957</p> <p><b>Agape Recovery Center</b> 201 North Pine Street Burlington, WI 53105 Main Tel: 262-767-0441</p> <p>Racine County Human Services, Behavioral and AODA services 262-638-6741</p>
Walworth County	<p>National helpline (referral and assistance for AODA issues), English and Spanish assistance: 1-800-662-HELP</p> <p><b>Walworth Dept. of Health and Human Services</b> AODA assessment, counseling, and detoxification. Main Tel: 262-741-3200</p> <p><a href="#">Walworth County Alcoholics Anonymous meetings</a> District 6 Main Tel: 262-723-1224</p>

## V. DISCIPLINARY SANCTIONS

Gateway Technical College will impose sanctions on students and employees for violations of the standards of conduct included in Section I (consistent with local, state, and federal law). As noted below, such sanctions may include, but are not limited to, expulsion (for students), termination of employment (for employees), and referral for prosecution.

### Employee Sanctions

Sanctions that may be imposed for violations of this DAAPP are informed by the College's Progressive Discipline policy, as described in the Administrative Procedures





& College Practices Manual (Progressive Discipline I-210) and in the Employee Handbook (4.30).

The progressive discipline procedure is designed to identify and correct problems that may affect work performance. This process provides a supervisor and employee with an opportunity to talk about specific problems, to determine when and how these problems can be resolved and to set goals and follow-up dates.

The Progressive Discipline process includes the following actions:

**1. *Verbal Counseling (Step One)***

The first step of Progressive Discipline is Verbal Counseling. The verbal counseling is a discussion between a supervisor and an employee usually to review a first offense of a minor nature.

- a. The supervisor will review the violation with the employee and develop a performance improvement plan. The employee may be given a specific time within which the improvement must be made and will be informed as to what further action will be taken if continued violation(s) occurs.
- b. For union employees, a union representative may be present at the option of the employee. If a union representative is present, a Human Resources representative will also be present at this step.
- c. Verbal Counseling will be documented using the Record of Discipline form and will be forwarded to Human Resources for review, and then placed in the employee's personnel file.
- d. Employee will be provided the opportunity to respond in writing on the Record of Discipline form.

**2. *Written Counseling (Step Two)***

The second step of Progressive Discipline is Written Counseling. Written counseling may be issued for repeated violations or misconduct of a more serious nature. Union, where applicable, and Human Resources representatives will be present at this step.

- a. The employee will be informed of the specific violations(s). The supervisor shall explain other disciplinary measures which may be taken if violation(s) continued.
- b. The supervisor will complete a Record of Counseling which clearly describes the misconduct, and the steps necessary for improvement. The written counseling may establish a specific time within which improvement must be made.
- c. The employee will be provided with an opportunity to respond in writing on the Record of Counseling. The Record of Counseling will become a part of the employee's personnel file.

**3. *Disciplinary Suspension or Final Written Warning (Step Three)***

Depending on the nature and seriousness of the violation, a disciplinary suspension or final written warning may be issued.

- a. All suspensions and/or final written warnings must be reviewed and approved by the vice president of Human Resources.





- b. Recommendation(s) should also be documented on a Record of Counseling form and placed in the employee's personnel file.

#### 4. *Termination (Step Four)*

After the previous steps have been taken, or as previously stated in cases of more serious misconduct, an employee may be terminated.

- a. The discharge of employees for repeated minor violations will normally be preceded by the previous steps. However, serious violations of policy and/or procedures may lead to skipping the previous steps and may warrant immediate termination.
- b. All terminations must be reviewed and approved by the vice president of Human Resources.

Employees who violate established policies, rules, and regulations, fail to perform their jobs according to accepted standards, or who otherwise conduct themselves in a manner which is detrimental to the college, the college's students, clients, or to other employees, are subject to disciplinary action up to and including termination.

Depending on the situation, any step may be repeated, omitted, or taken out of sequence. The college reserves the right to effect immediate termination should the situation be warranted. Each case is considered on an individual, fair, and consistent basis.

For additional information on Progressive Discipline, refer to:

- Administrative Procedures and College Practices Manual
  - I-110, Employee Code of Conduct
  - I-210, Progressive Discipline
- Employee Handbook
  - 4.18, Fair Treatment

### **Student Sanctions**

Sanctions that may be imposed for violations of this DAAPP are informed by the College's Student Conduct policy (J-300). These sanctions are not meant to be progressive in nature. A student may be issued one or more of these sanctions in response to an incident. The college will determine the level of sanction based on the severity of the incident or series of incidents.

#### **Non-Academic Sanctions:**

The following sanctions may be imposed to students who fail to comply with the Student Code of Conduct, which includes prohibitions against use, under the influence of, possession, sale or distribution of narcotic or illegal drugs...alcoholic beverages, etc. on Gateway owned or leased property, or at Gateway sponsored activities."

1. *Warning:* Issued to a student who has committed a minor violation of this policy and doesn't pose a continued concern for the college.





2. *Disciplinary Probation*: Issued to a student who has committed a violation of this policy and will face additional sanctions if any additional violations occur during a specified time frame.
3. *Suspension*: Issued to a student, for a specified time frame, who has committed a major, egregious or continued violation(s) of this policy.
4. *Dismissal*: Permanent removal, issued to a student who has committed a major, egregious or continued violation(s) of this policy.
5. *Restriction*: Issued to a student who has committed a violation of this policy, and the resolution is a limitation on the student's access to identified services, locations, education, community activities or persons. Issued for a specified time frame.
6. *Restitution*: Issued to a student who has committed a violation of this policy that resulted in staff, institutional or another student's financial loss. May be issued as a condition of return or continued attendance in the college.
7. *Referral*: Issued to a student who has committed a violation of this policy and it's determined that continued participation at the college is contingent upon the student attending designated services (college or private vendor) or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return or continued attendance in the college.
8. *Loss of Privileges*: Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student's access to identified service, location, or educational community activities.
9. *No Contact*: Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student's access/contact with an identified individual(s) or groups of students and/or staff.

## VI. POLICY DISTRIBUTION

All enrolled students will be sent this policy each semester to ensure that all students enrolled for academic credit receive the DAAPP each year, as required. Students in the correctional setting receive a paper copy of the policy. Employees will be sent this policy via email in January of each year. Employees hired after the initial distribution of the DAAPP will be provided with this policy as part of the employee's new hire paperwork. The Director of Security or designee is responsible for ensuring distribution of this policy to all enrolled students and all employees.

## VII. BIENNIAL REVIEW





Every other year, Gateway Technical College will conduct a biennial review of the DAAPP to assess its effectiveness and the consistency of sanctions imposed for violations of the College's disciplinary standards and codes of conduct.

During the fall semester of even-numbered calendar years, the College will form a committee consisting of representatives from Human Resources, Deans of Campus Affairs, Student Services, CARE Team and Safety and Security to conduct a biennial review of the DAAPP.

The DAAPP will draw upon available data sources, which may include, but are not limited to, the following:

- number of drug- and alcohol-related disciplinary sanctions imposed;
- number of drug- and alcohol-related referrals for counseling or treatment;
- number of drug- and alcohol-related incidents recorded in the logs of campus security or other law enforcement officials;
- number of drug- and alcohol-related incidents of vandalism;
- number of students or employees attending self-help or other counseling groups related to alcohol or drug abuse; and/or
- student, faculty and employee attitudes and perceptions about the drug and alcohol problem on campus.

Each review will determine the program's effectiveness and will ensure that sanctions imposed for violations of the standards of conduct identified in the DAAPP are consistently enforced. The review must also identify any changes to be implemented during the next biennium should any changes be necessary following the review.

Furthermore, each Biennial Review Report will disclose the following statistics, as required by law:

- the number of drug and alcohol-related violations and fatalities that occur on the institution's campus (as defined by the Clery Act) or as part of any of the institution's activities that are reported to campus officials; and
- the number and type of sanctions that are imposed by the institution as a result of drug and alcohol-related violations and fatalities on the institution's campus or as part of any of the institution's activities.

The report will cover the prior two academic years and will result in a written Biennial Review Report. The Report will describe the research methods and data analysis tools that the College used to determine the effectiveness of the DAAPP and will identify the offices or officials that have conducted the Biennial Review.

A copy of the final Biennial Review Report is maintained by the Director of Security. The office is located in the Administration Building at 3520 30<sup>th</sup> Avenue, Kenosha, WI 53144. A copy of the report will be provided upon request.

## VIII. APPENDICES





- Appendix 1: Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)
- Appendix 2: Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances







## Appendix 1: Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> 1 life imprisonment Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid) Flunitrazepam (Schedule IV)	Any amount  1 gram	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.  <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.  <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.		
Flunitrazepam (Schedule IV)	Other than 1 gram or more	<b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
All Schedule V drugs	Any amount	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		







## Appendix 2: Federal Trafficking Penalties-Marijuana

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		



## H-170 SOLICITATION / DISTRIBUTION / POSTING

### POLICY

Gateway Technical College is concerned with the safety, security and quality of experience our students, staff and guest experience while on campus. To prevent interference with the educational process, disruption of the work environment and to maintain effective college operations the following rules have been established regarding distribution, solicitation, posting or selling. This policy applies to all Gateway Technical College campuses.

### DEFINITIONS

1. Distribution means circulating, disseminating, handing out, peddling, or making generally available
2. Solicitation means asking, requesting, inviting, approaching, seeking, petitioning, canvassing or inducing persons for any information or to perform an act.
3. Selling means any exchange of currency, bartering, vending or trading of physical or conceptual items.
4. Posting means any display of information
5. Work Time means all time during which an employee is assigned to or engaged in the performance of his/her role excluding non-paid periods during the day that the employee is not expected to perform their role.
6. Campus means any Gateway Technical College (or its' related entities) owned, leased, rented, controlled or operated facility or property

### EMPLOYEES

1. Employees are not permitted to distribute literature or sell to other employees during the "work time" of either person or in public areas.
2. Employees are not permitted to solicit or sell to students while on campus.
3. Employees violating this policy will be subject to the disciplinary process.

### NON-EMPLOYEES

1. Non-employees are not permitted on the Gateway Technical College premises at any time to solicit, post or sell to persons on campus.
2. Persons violating this policy may be subject to criminal or civil prosecution.

### EXCEPTIONS

1. This policy does not apply to any employee who is performing his/her college related duties.
2. Certain exceptions to these rules have been approved by Gateway Technical College management, and by administrative agencies and courts, for specified charitable purposes. At Gateway Technical College, these exceptions are for annual United Way Campaigns, Blood Drives and other college related organizations or recognized agencies.
3. The college administration may grant an exception to this policy for Gateway Technical College (or its related entities) sponsored events. Such events would typically be single day (but not limited to) events.
4. The college administration may grant an exception to this policy for corporate/business partners who are engaged with the college in the sponsorship of an educational program or activity.



5. The college administration may grant an exception, either in part or entirety, to this policy for persons or organizations who are utilizing its facilities in accordance with policy E-150.
6. The college administration may grant an exception, either in part or entirety, to this policy for persons or organizations that the college is in a contractual relationship for the usage of college facilities (an example would be, but not limited to, bookstore or food service.)
7. Deans of Campus Affairs or members of the Executive Leadership Council may approve the posting of materials on campus if:
  - a. the materials provide a direct service (example would include, but not limited to, student housing rentals) for the students and/or staff.
  - b. the materials are promoting/advertising an event or activity sponsored by publicly recognized charitable organization or government agency.

Adopted: December 05, 2011  
Supersedes: January 2001  
Reaffirmed &/or Updated: February 16, 2009





## Free Speech and Peaceful Assembly

### H-171

#### POLICY

Gateway Technical College ("Gateway") acknowledges the constitutional right to engage in free speech and to assemble in groups for peaceful purposes. Among other things, these freedoms foster a robust exchange of ideas and can facilitate academic and social growth.

The primary use of District buildings, facilities and property owned or leased by Gateway Technical College ("Gateway") is to provide educational services and programs for District residents. Gateway may, consistent with applicable state and federal law, establish reasonable restrictions regarding the time, place, and manner in which persons may exercise their free speech and assembly rights on Gateway property.

Nothing in this policy is intended to infringe upon any legal rights regarding freedom of speech. Application of the policy shall not be arbitrary or capricious and shall not be based upon the content of the proposed speech and nothing in this policy shall be interpreted in such a way as to discriminate on the basis of political, religious, social or other content. In addition, the speech expressed by individuals not acting in an official college capacity does not necessarily represent the views or opinions of the college, its officers, or Board of Trustees.

#### DEFINITIONS

1. **Distribution** means circulating, disseminating, handing out, peddling, or making generally available.
2. **Solicitation** means asking, requesting, inviting, approaching, seeking, petitioning, canvassing or inducing persons for any information or to perform an act.
3. **Selling** means any exchange of currency, bartering, vending or trading of physical or conceptual items.
4. **Posting** means any display of information.
5. **Work Time** means all time during which an employee is assigned to or engaged in the performance of his/her role excluding non-paid periods during the day that the employee is not expected to perform their role.
6. **Gateway community** means students and employees of the college.

This policy applies to all Gateway campuses.

#### UNPROTECTED SPEECH AND ACTIVITIES

Some forms of speech—including but not limited to threats of violence, incitement to imminent lawless action, raising false alarm of imminent personal danger, and certain severe and pervasive harassment—are not constitutionally protected and may result in disciplinary action.

Further, all members of the Gateway community and those visiting Gateway buildings, facilities or property are prohibited from engaging in conduct leading to or resulting in any of the following:



1. Endangerment to the health or safety of others;
2. Interference or disruption of the normal functioning of Gateway;
3. Damage to Gateway property;
4. Denial of, or unreasonable interference with, the rights of others on Gateway premises;
5. Unauthorized access to or occupation of nonpublic areas on Gateway premises, including but not limited to classrooms, laboratories, libraries, faculty and administrative offices, and recreational facilities; and
6. Unauthorized access to or use of personal property, including files and records.

Individuals who engage in such activities may be subject to disciplinary action, including suspension or dismissal from Gateway and/or removal from Gateway property. In addition, such actions may result in criminal charges by law enforcement authorities.

## REASONABLE TIME, PLACE AND MANNER RESTRICTIONS

Gateway may, consistent with applicable state and federal law, establish reasonable restrictions regarding the time, place, and manner in which persons and groups may exercise their free speech and assembly rights on Gateway's campuses.

To that end, Gateway generally permits public expression when its campuses are open and during the hours of 8:00 a.m. to 10:00 p.m. (Monday through Friday) and 7:00 a.m. to 2:30 p.m. (Saturday). Further, no person on Gateway property or at Gateway functions may:

- 1) Block entrances to or otherwise interfere with the free flow of traffic into and out of campus buildings and facilities;
- 2) Have unauthorized entry to, possession of, receipt of, or use of any Gateway services, equipment, resources or properties;
- 3) Engage in physical abuse including, but not limited to, physical or sexual assault, threats of violence, or other conduct that threatens the health or safety of any person;
- 4) Obstruct or disrupt teaching, research, administration, disciplinary procedures, or other Gateway activities;



- 5) Exhibit disorderly or lewd conduct;
- 6) Participate in a disturbance of the peace or unlawful assembly;
- 7) Unlawfully manufacture, distribute, dispense, possess, use, or sell, or attempt to unlawfully manufacture, distribute, dispense, possess, use, or sell controlled substances, as identified by federal and state law;
- 8) Manufacture, distribute, dispense, possess, use, or sell, or attempt to manufacture, distribute, dispense, possess, use, or sell alcohol that is unlawful or otherwise prohibited by or not in compliance with Gateway policy;
- 9) Possess, use, store, or manufacture a firearm, explosives, or other weapons and destructive devices, except as authorized by Gateway policy or local, state, or federal law;
- 10) Engage in the theft, conversion, destruction of, or damage to any Gateway property, or any property of others while on Gateway's campus;
- 11) Possess any property when the individual had knowledge or reasonably should have had knowledge that it was stolen;
- 12) Fail to comply with the directions of a Gateway official or other public official acting in the performance of his or her duties while on Gateway property or at official Gateway functions, or resist or obstruct such Gateway official or other public official in the performance of his or her duties;
- 13) Camp or lodge on Gateway property other than in authorized facilities;
- 14) Climb up or repel down any building, facility, structure or natural feature on Gateway property; or
- 15) Participate in indecent exposure or public nudity on Gateway property. This prohibition does not apply to appropriate visual or performing arts productions, or academic programs or classes scheduled or sponsored by campus academic groups or departments as determined by the department chair or group director.

In addition to these reasonable restrictions, all members of the Gateway community are responsible for complying with all applicable Gateway policies and procedures.

Gateway acknowledges and respects the rights of members of the Gateway community to engage in personal political activity. When using Gateway buildings or facilities, however, members of the Gateway community must keep their personal political activity separate from their institutional role and from Gateway activities. Personal political activity should not be engaged in such a manner as to incorrectly represent Gateway support or





endorsement. Neither Gateway funds, equipment, instructional programs nor other resources may be used for such personal political activity.

## COMMERCIAL SPEECH

Commercial speech is any form of speech, expression, or activity that is primarily intended to market, sell, or promote goods and services on behalf of any person or entity that is not a Gateway department or affiliated organization. Soliciting for contributions or donations is included in the definition of commercial speech. Commercial speech may be regulated by Gateway to a greater extent than non-commercial speech.

Gateway is under no obligation to make any campus areas or facilities available for commercial speech. Persons or organizations wishing to engage in commercial speech activities on Gateway property must be granted express written permission to do so by the Associate Vice President, Facilities and Security (or designee).

Commercial speech activities are generally prohibited unless such activities promote Gateway's educational objectives. Employees are not permitted to solicit or sell to students while on campus. Commercial speech activities are prohibited inside classrooms, libraries, centers that support student learning such as the Student Services Centers, Multicultural Centers, and Learning Success Centers, other specialized laboratories and training or testing facilities.

In addition, all approved commercial speech activities must occur during standard operating hours and may be further limited to certain locations on Gateway campuses that will not interfere with or disrupt student privacy, education, or Gateway's normal educational and business functions.

Any action by Gateway that restricts commercial speech under this policy shall be applied without discrimination toward the content of the view(s) being expressed. Gateway may, however, consider the effect of commercial activities on the safety and orderly operations of its campuses when making determinations regarding approval or necessary restrictions.

## NON-COMMERCIAL SPEECH BY EXTERNAL PERSONS

Persons who are not associated with the Gateway community (e.g., those who are not students, employees, volunteers, or individuals otherwise invited to be present on Gateway property) and who wish to engage in non-commercial speech on Gateway property must provide notice, by phone or in writing, to the Director of Safety and Security (or designee) at least five business days in advance of the activity. This notice allows the college to



assure that the activity does not interfere with a planned event and that adequate security and services are available, if applicable, for said activity.

No political activities or distribution of printed materials are allowed inside any Gateway building, facility or conference center, or temporary facility such as a tent, except where a table is reserved in accordance with facility use policies.

*For additional details regarding the use of Gateway District buildings and facilities by individuals or groups who are not associated with the Gateway community, see Administrative Procedure E-150.*

## PEACEFUL ASSEMBLIES AND DEMONSTRATIONS

Peaceful assemblies and demonstrations are prohibited inside any classroom or any place or manner that interferes with educational or other normal functions and operations of the institution.

Due to the size and configuration of the Burlington Center, HERO Center, Elkhorn Veterinary Sciences Center, and LakeView Advanced Technology Center, peaceful demonstrations are not allowed inside these buildings. In addition, peaceful demonstrations are not allowed in Libraries, centers that support student learning such as the Student Services Centers, Multicultural Centers, and Learning Success Centers, private office areas, and other specialized laboratories and training or testing facilities.

A person who wishes to engage in an expressive activity in outdoor areas of campus may do so freely, spontaneously, and contemporaneously as long as the person's conduct is lawful and does not materially and substantially disrupt the functioning of the public institution of higher education or infringe upon the rights of other individuals or organizations to engage in expressive activities.

Assemblers or demonstrators refusing to vacate Gateway's property upon request may be subject to immediate temporary suspension and/or arrest under applicable state and federal laws.



## **SOUND AMPLIFICATION**

The use of sound amplification equipment for functions or events must be approved in advance. Applications for the use of sound amplification equipment or space shall be approved by the Director of Safety and Security (or designee). Gateway may control the volume and direction of sound amplification so as not to interfere with other campus or community activities.

Acoustic or ambient sound, such as that generated through musical instruments, may be limited when such use interferes with the orderly conduct of Gateway business or authorized events.

## **GATHERING OF SIGNATURES**

The gathering or solicitation of signatures for petitions, for the nomination of a candidate for elective office, or for similar purposes is permitted pursuant to the following guidelines.

Members of the Gateway community (except employees during their work hours), subject to the other provisions of this policy, may generally solicit signatures when the College's campuses are open.

Individuals or groups not associated with Gateway's campus who wish to solicit signatures on campus must provide notice, by phone or in writing, to the Director of Safety and Security (or designee) at least five business days in advance

Signature solicitation must not interfere with the orderly conduct of Gateway's affairs, the maintenance of Gateway's property, the entrance to or exit from any Gateway facility, or the free flow of vehicular and pedestrian traffic. Signature solicitation is allowed outdoors without notice.

No indoor solicitation or signature collection is allowed in any Gateway building, facility or conference center, or temporary facility such as a tent, except where a table is reserved in accordance with facility use policies.

No individual may solicit signatures in libraries or centers that support student services, including but not limited to multicultural resource centers, learning success centers, during standard operating hours or in academic facilities or classrooms while class is in session unless granted express written permission by the Director of Safety and Security (or designee) to do so.



## VIDEO AND PHOTOGRAPHY

Noncommercial videotaping and photographing of public spaces are generally permissible due to the lack of expectation of privacy in such areas. Examples of public spaces include college events, commencement, and other non-sensitive invited events, as well as locations such as sidewalks, parks, and streets. Examples of noncommercial videotaping and photographing include media news coverage and videotaping and photography by staff and students for non-commercial, educational, or administrative purposes.

Permission or a release is generally required in situations in which there is a reasonable expectation of privacy or when doing so would invade the privacy rights of others (e.g. individuals are trying to hide or shield what they are doing). In these situations, it is best to error on the side of caution and obtain permission or a release to videotape or photograph individuals on campus.

Videotaping and photographing are allowed during normal operating hours unless permission is granted by the Director of Safety and Security (or designee) to partake in these activities outside of operating hours.

Commercial videotaping and photography require permission from Gateway's marketing department (Director of Marketing (or designee)). In such cases, the individual or group making such videos or taking such images must obtain permission and releases from students.

***For additional details relating to the reasonable restrictions Gateway has placed on the distribution and posting of printed materials and the use of display tables on Gateway property, please see Administrative Policy H-170.***



## H-175 POLITICAL ACTIVITIES

### POLICY

All College employees should feel free to engage in such political activities so far as they are able to do so consistent with their full obligations to the College and in accordance with applicable laws.

### PROCEDURE

1. The only limitations the College imposes are those reasonably necessary to protect its independence in academic and business matters, and to insure its adherence to its mission and its compliance with the laws under which it operates. More specifically, those limitations are:
  - a. To preserve, in fact and appearance, the College's non-partisan, independent, tax-exempt status;
  - b. To preserve College resources of all sorts (including among others, faculty and staff time, College space, equipment, supplies and services) for the College's educational, research, and related functions; and
  - c. To protect against any conflicts of interest or time which may infringe on the ability of College personnel to perform their official duties and meet their responsibilities with maximum effectiveness and objectivity.
2. Restrictions: College employees may engage in lawful political activities. However, such activity, like any other personal, non-official undertaking, must be done on the employee's own time and should not interfere with College duties. Accordingly, employees may not:
  - a. Campaign during work hours.
  - b. Use college supplies or equipment, including telecommunications technology, for campaign purposes.
  - c. Represent their political views or the views of any candidate as being those of the college unless there has been specific authorization by the administration to do so.
  - d. Use employee mailing labels (either home or office addresses) produced by the College for distributing campaign materials. A candidate may obtain addresses from the college student, faculty, staff directories, or other published address lists.
  - e. Run for partisan political office without first taking a leave of absence from the college. A leave will be granted upon request of the candidate.
5. Employees who are concerned about whether an activity may be a violation of this policy may utilize Human Resources as a resource.
6. Employee unions and professional organizations are not considered political entities.

Adopted: December 19, 2011

Supersedes:

Reaffirmed &/or Updated:



## H-185 SOCIAL MEDIA POLICY

### POLICY

1. This policy requires that:
  - a. Officially-recognized Gateway social media accounts must be reviewed and approved through an application process.
  - b. Each social media account will have responsible administrators assigned.
  - c. Each officially-recognized account must include a disclaimer statement provided by the Marketing and Communications Department, regarding content and opinions contained on the site.
  - d. Inappropriate, offensive, libelous, and illegal content may be removed by Gateway employees identified as account administrators or at the direction of the Marketing and Communications Department.
  - e. Gateway's "Social Media User Guide" must be followed.
2. This policy applies to social media accounts created by Gateway employees for the official business purposes of the college, including faculty, groups, departments, programs, student organizations, entities, etc. Examples of the communication media included under this policy are:
  - a. Facebook
  - b. Twitter
  - c. YouTube
  - d. LinkedIn
  - e. Flickr
  - f. Snap Chat
  - g. Instagram
  - h. blogs
3. Gateway student organizations officially recognized by the Student Life department that wish to create social media accounts must have the support of and be overseen by a Gateway faculty advisor who will serve as the required account administrator and complete the necessary application paperwork. Students cannot be named as page administrators.
4. Gateway employees are expected to follow the same standards online as they would in the workplace as outlined by the Employee Handbook. The same laws, professional expectations, and guidelines for interacting with students, alumni, community members, media, and fellow Gateway employees apply online as well. Employees are fully responsible for anything they post to social media sites.

### PROCEDURES

#### 1. Application Process

Gateway employees interested in establishing an officially-recognized social media account must begin by completing an application form that can be found at [www.gtc.edu/socialmedia](http://www.gtc.edu/socialmedia). Completed forms should be submitted to the Marketing and Communications Department for approval prior to establishing the account.

#### 2. Account Administration

- a. All social media accounts officially recognized by Gateway must have at least one Gateway employee, preferably two, as administrators at all times. In addition, the initial page creator must include a designee of the Marketing and Communications Department as an additional page administrator and/or share necessary login information.





- b. The Marketing and Communications Department does not plan to actively engage in maintaining the new social media presence. The administrator designation will enable the Marketing and Communication Department to properly track the college's social media presence and respond quickly in the event of a problem, such as the unavailability of the staff member who has administrative control of the page.
- c. If the Gateway employee(s) designated as the account administrator(s) should leave the college or no longer wishes to serve as the account administrator, it is the responsibility of the appropriate dean or vice president to designate another Gateway employee as administrator and remove the former employee's administrative permissions on the account.

### 3. **Account Image**

All applicants for officially-recognized social media accounts that include a profile image are required to submit the profile image for each account as part of the application process to ensure that Gateway's branding standards set forth in the Marketing Brand Standards are maintained. If assistance is needed in creating an appropriate image please contact the director of Marketing.

### 4. **Account Name**

All applicants for officially-recognized social media accounts are required to include the account name for each account as part of the application process to ensure Gateway's branding standards are maintained. It is preferred that the account name include the full name Gateway Technical College or Gateway (i.e. Gateway Technical College Multicultural Program). The use of 'GTC' in account names is prohibited.

### 5. **Account Photo/Video Sharing**

Account administrators are responsible for obtaining an official Gateway Technical College photo/video release from any students featured in photos and videos posted to officially-recognized social media accounts. A copy of Gateway's official photo release can be found at [www.gtc.edu/socialmedia](http://www.gtc.edu/socialmedia).

### 6. **Account Disclaimer**

All officially-recognized social media accounts are required to include the following disclaimer in their page/profile information.

"The postings on this site are those of the site administrators and do not necessarily reflect Gateway Technical College's opinions or policies. Gateway accepts no responsibility for any content generated by users and posted on this page or linked to from this page. Gateway students posting to this page are subject to Gateway policies including the Student Code of Conduct and Computer, Networking and Information Resources policy. Gateway reserves the right to remove content from the page at its discretion for any reason."

### 7. **Managing Content**

Account administrators are responsible for managing and monitoring content on their social media accounts. Administrators are responsible for removing any content that may violate the guidelines detailed below or established Gateway conduct policies.

- a. Maintain Confidentiality: Do not post confidential information about Gateway Technical College, its students, employees or alumni. Employees must adhere to all Gateway, state, and federal policies regarding privacy and confidentiality including but not limited to FERPA.
- b. Respect Copyright: Material protected by copyright cannot be used on Gateway Technical College social media sites.



- c. Appropriate Posting: Do not post or allow content posted by others to remain that is obscene, threatening, defamatory, libelous, illegal, discriminatory, or in violation of intellectual property rights or privacy laws. Do not post or allow content posted by others to remain that in any way identifies the victim of a crime. Account administrators should avoid selling goods and services for personal profit and expressing personal non-partisan political views.
- d. Employee Conduct: Gateway employees are expected to follow the same standards online as they would in the workplace. The same laws, professional expectations, and guidelines for interacting with students, alumni, community members, media, and fellow Gateway employees apply online as well. Employees are fully responsible for anything they post to social media sites.
- e. Accessibility: All official college approved accounts must be accessible to those with visual, auditory and other disabilities to the fullest extent possible. This includes linking videos that are close captioned, text formatting, image descriptions and formatting.
- f. Established Policies: Social media users acting on behalf of Gateway Technical College must adhere to existing Gateway policies and procedures including but not limited to:
  - 1) FERPA
  - 2) Gateway Employee Handbook
  - 3) Gateway Student Handbook
  - 4) Affirmative Action/Equal Opportunity
  - 5) Harassment and Discrimination
  - 6) Sexual Harassment
  - 7) Computer, Networking and Information Resources

## 8. Account De-activation

- a. Should an account administrator no longer wish to serve as administrator they should work with the appropriate dean or vice president to find a replacement. If a suitable replacement cannot be found, or if it is determined the social media account is no longer necessary the account administrator must contact the Marketing and Communications Department. Marketing and Communications representatives will work with the account administrator to properly deactivate the account.
- b. The Marketing and Communications Department reserves the right to deactivate a social media account if it is no longer being maintained and/or is no longer supporting the college's mission and goals. Every effort will be made to work with account administrators and the appropriate dean/vice president to keep the account active and notification will be made before any account is de-activated.

## 9. Existing Accounts

Account administrators for any existing social media account that has been established to represent the college, its programs, organizations, or students is required to submit a social media account application and add a designee of the Marketing and Communications Department as an account administrator. Existing accounts are also required to adhere to the Gateway Social Media Policy and Guidelines.

Policy, guidelines, forms, and a full list of officially-recognized Gateway Technical College social media accounts can be found at [www.gtc.edu/socialmedia](http://www.gtc.edu/socialmedia).







Supersedes:

Reaffirmed &/or Updated:





## H-187 DIGITAL SIGNAGE POLICY

### POLICY STATEMENT

1. Digital messaging managed by Gateway Technical College (Gateway) serves as a visual communication medium to inform students, faculty, staff, and visitors about the College, specific departments, Gateway-sponsored events, important safety information, and more. Digital messaging is considered a component of the college's communication plan, visual aesthetics, brand management, and the overall Gateway Experience. It is imperative that all of the college's digital messaging be coordinated to provide a consistent look, feel, and message.
2. Information displayed via digital messaging or signage may include (but is not limited to): programs, meetings and activities; up-to-date weather information; campus news; cable or satellite television programming; video feeds; college events; campus facts; and emergency messages.
3. This policy covers all non-instructional TVs/monitors as well as digital signage applications, including (but not limited to) the following: digital signage, meeting minders, wayfinders, informational tickers, video walls, and electronic bulletin boards.
4. TVs/monitors in classrooms are dedicated to instructional purposes and are to be focused on instructional digital content only; therefore they are not included in this policy.
5. Information shared via signage will be designed in compliance with comply with section 504 of the Rehabilitation Act and the ADA and in a manner that makes them accessible to those with visual disabilities to the fullest extent possible.

### Equipment Installation

1. Gateway funds and maintains a number of digital messaging screens across the District. These deployments are planned in advance, use standardized hardware/software, are approved in accordance to this policy, funded by either campus or divisional budgets, refreshed on a scheduled basis, and are consistent with the Gateway Experience.
2. Requests for additional screens beyond the base level of screens planned in a given year, regardless of funding source, must be approved by the vice president, Community and Government Relations. Requesting departments/divisions are responsible for the initial funding of any approved equipment including licenses and installation costs. Departmental digital signage requests must include their divisional vice-president's approval for digital signage location and funding.
3. Requests for new digital displays should be submitted using the Tech Central Ticketing System (using the Marketing ticket type).
4. LID will procure equipment, software licensing, and coordinate installation of hardware and software. LID will maintain any required server(s) and server software.
5. Equipment must be installed by LID personnel in coordination with Gateway marketing and facilities staff input in order to maintain a consistent look and feel across the district. Final locations for digital messaging displays must be approved by the vice president, Community and Government Relations.
6. Refer to Policy H-190c - Technology Procurement for additional information on the equipment and software purchasing process.

### Ongoing Maintenance and Review

1. Approved messaging equipment will be evaluated annually by Marketing/IT staff and at the end of its equipment refresh cycle. If equipment is no longer achieving its intended purpose, it will be evaluated for reassignment based on current needs.
2. Approved signage deployments will be refreshed periodically and maintenance and upkeep



expenses will come from identified and approved budgets.





## Digital Messaging - Content

1. All messaging displays are required to be attached to the district-wide management system.
2. All content must be approved by Marketing prior to being displayed for public viewing.
3. To optimize the management of digital signage content, Marketing reserves the right to determine what content is displayed at which digital signage location(s) and determine the duration, dates, and times content is displayed.
4. Marketing will develop standardized templates for all campus monitors. User readability and design consistency will be maintained between buildings and monitors.
5. Requests for digital content should be submitted using the Tech Central Ticketing System (using the Marketing ticket type).
6. Digital signage content that promotes or condones behavior that violates college policies or local, state, or federal law will not be approved for display.
7. Digital signage content that infringes on the copyrighted or trademarked works of others will not be approved for display. Copyrighted and trademarked material may include but are not limited to: logos, digital images, photographs, paintings, movies, videos, and written works.
8. Digital signage content will be designed and displayed in compliance with section 504 and ADA and in a manner that makes them accessible to those with visual, auditory and other disabilities.

## Policy Violations

Digital monitors that have been installed in violation of this policy may be removed from service and redeployed in another location according to the District plan.

## Policy Questions

Questions about this policy should be directed to Stephanie Sklba, Vice President Community & Government Relations at [sklbas@gtc.edu](mailto:sklbas@gtc.edu).



# H-187 Digital Signage Policy

Gateway Technical College  
All Employees  
Created: January 17, 2025

Reaffirmed &/or Updated:





## H-188 WEBSITE PRIVACY POLICY

Gateway Technical College is committed to protecting the privacy of website visitors and the information shared on our website. This policy explains the ways in which we collect information while using the Gateway website ([www.gtc.edu](http://www.gtc.edu)), how that information can be used, and how we protect the information you choose to provide us.

By visiting [gtc.edu](http://gtc.edu), you are accepting the practices described in this policy. This notice applies solely to information collected on Gateway sites.

### Information Collected

The Gateway website ([gtc.edu](http://gtc.edu)) uses cookies or similar technology. You can accept or decline cookies in your web browser settings. By doing so some parts of the site may not function properly.

#### *Non-Personal Information*

When you browse through our website at [gtc.edu](http://gtc.edu), certain information is collected in relation to your computer's IP (Internet Protocol) address. We automatically collect and temporarily store the following information about visits from IP addresses:

- Date and time of visit
- Pages visited
- Operating system, browser used and screen resolution
- Search terms used
- Originating website
- Internet service provider
- Terms you use in our site's search engines

We may use this information for statistical purposes and to help us make our site more useful to visitors. No additional information is collected unless otherwise stated.

#### *Personal Information*

Gateway does not require that you provide personal information to visit our website. However, you may choose to provide us with personal information through an e-mail message, live chat, information request form, registration form, survey, alumni membership form, etc. This information is used only to fulfill the purpose you authorize or in support of college-sponsored programs.

Gateway Technical College does not disclose, give, sell, or transfer any personal information about our online visitors to third parties except as required by law.

### Third-party tracking

Third-party vendors, including advertising networks and web traffic analysis services, may use cookies on our site to collect non-personal data. Google Analytics helps website administrators track site usage, understand how users find sites, and improve website function and content. For more information on Google Analytics, please visit [Google's website](#).

Other third-party tools show Gateway advertisements on sites across the web. Using cookies and related technologies, these tools show ads to people who've previously visited our websites, might be interested in our sites based on other sites they've visited or be a web user in a specific geographic area.

### Pixel Tags

Pixel tags, also called web beacons, may be used on Gateway's website, email messages or newsletters. Pixel tags allow us to monitor the actions of users opening a particular webpage.



email or newsletter to customize our offerings to you. They also help us determine number of page visits or email opens to help improve user experience and site content.

## Other Websites

Our website contains links to other sites. We are not responsible for the privacy practices or the content of such websites. These links are provided only for the convenience of our visitors.

## Security

Gateway uses appropriate security measures to help protect user information within our limits. While we work to maintain information security, we encourage users to exercise caution when disclosing personal information.

## Policy Contact

If you have any questions about this privacy statement, the practices of this site, or your use of this website, please contact the webmaster at: [webmaster@gtc.edu](mailto:webmaster@gtc.edu).

Gateway Technical College – Marketing and Communication Dept.  
Attn: Kristin Gunia, Director Marketing & Communications  
3520 30th Avenue Kenosha, WI 53144

Adopted: March 5, 2018 (responsible departments: Community & Government Relations/LID)

Supersedes:

Reaffirmed &/or Updated:





## H - 190

### H-190 COMPUTER, NETWORKING, AND INFORMATION RESOURCES

#### INTRODUCTION

The H-190 policy set constitutes Gateway Technical College's (Gateway or College) policy for the management of the College's computing, networking, and information resources. These resources include, but are not limited to, the central computing facilities, District-wide network, email, classroom multimedia equipment, video conferencing equipment and systems, access to the Internet, wireless access, telecommunications, voice mail, scanners, printers, software (locally installed, network based, and cloud hosted), data, and related equipment and services.

Use of Gateway computing and networking resources and information systems is governed by federal and state law, all Gateway policies, and the Employee and/or Student Handbook. Use of any of the College's computing, networking, and information resources constitutes acceptance of this policy set.

#### ROLE OF THE LEARNING INNOVATION DIVISION

1. Responsible system maintenance may require that files be backed up, data cached, activity logs kept, and overall system and network activity monitored. In the process of these activities, Gateway staff may see your network traffic, digital activities, and/or files.
2. An account may also be inspected or monitored when:
  - a. Activity from an account prevents access to the College's computing or networking resources by others.
  - b. Activity from an account is disrupting or threatening the integrity and/or security of the network or network systems.
  - c. General usage patterns indicate that an account may be responsible for illegal activity.
  - d. LID receives reports of alleged law or policy violations.
  - e. It appears necessary to do so to protect Gateway from possible legal liability.
  - f. It is required by and consistent with law.
3. Whenever evidence of criminal activity is discovered, Gateway will provide the evidence of such activity to law enforcement officials in accordance with state and federal statutes.

#### SANCTIONS FOR TECHNOLOGY POLICY VIOLATIONS

1. Violations of Gateway technology or security policy may result in disciplinary actions or the loss of privileges, including but not limited to, loss of access to computing resources as well as to Gateway disciplinary action up to and including termination and/or legal action.
2. Any offense that violates federal, state and/or local laws may result in the immediate loss of all Gateway computing privileges and will be referred to appropriate Gateway administrators and/or law enforcement authorities.
3. If Gateway Learning Innovation Division staff has evidence of misuse of technology systems, resources, or policy violations through a specific account, they will take the following steps to protect the systems, networks, and the user community:
  - a. the suspected accounts will be suspended immediately pending the outcome of any investigation.
  - b. the user's account files, digital storage, and/or other data and computer accessible storage media associated with the account will be inspected for evidence.





## H - 190

- c. investigation of a student will be reported to the Student Success Division, and investigation of a faculty or staff member will be reported to that individual's supervisor when appropriate.
- d. violations will be reported to the appropriate authorities, who may take further action.

Sanctions apply to the following computer and network use policies:

- a. D-110 - Telephone Usage
- b. All H-190 sub-policies
- c. H-199 - Printing and Photocopying Policy
- d. J-150 - Usage of Copyrighted Computer Resources

**Reviewed: 10/10/2024**





## H-190a LEARNING INNOVATION DIVISION INFORMATION SECURITY AND CONFIDENTIALITY POLICY

### POLICY

Learning Innovation Division (LID) employees are entrusted with certain responsibilities and special privileges regarding access to Gateway systems, data, and information. During the normal execution of their jobs, they may become aware of or have access to sensitive or confidential information in written, printed, electronic or verbal form. As such, Gateway Technical College requires that all LID employees (including full-time, part-time, casual, work-study, LTE, and student interns) review, acknowledge and agree to comply with the LID Information Security and Confidentiality Agreement and related policies.

### PROCEDURE

1. As a condition of employment:
  - a. Current Employees must review, acknowledge and sign the then current *Information Security and Confidentiality Agreement* on an annual basis or as otherwise determined by Gateway management.
  - b. New Employees must review, acknowledge and sign the then current *Information Security and Confidentiality Agreement* at the time of hire and on an annual basis, or as otherwise determined by Gateway Management.
  - c. Casual Employees, Student Interns, LTE's and Work-Study Students must review, acknowledge and sign the then current *Information Security and Confidentiality Agreement* at the same time as he/she enters into a Letter of Employment (LOE) with Gateway or as otherwise determined by Gateway management.
  - d. It is each employee's responsibility to take actions which protect and which do not disclose information in any way that is inconsistent with the appropriate performance of their assigned responsibilities in the normal execution of their job.
2. Inappropriate disclosure, misuse of college data and information, and any violation of this policy or any applicable laws (e.g. HIPAA, FERPA, etc.) are grounds for disciplinary action up to and including termination.
3. Breach of confidentiality, including but not limited to aiding, abetting, or acting in conspiracy with any other person to violate any part of this policy, may result in sanctions, civil or criminal prosecution and penalties, and/or Gateway Technical College disciplinary action, and could lead to dismissal, suspension, or revocation of all access privileges.
4. All LID employees are to report immediately to their supervisor or Talent and Culture staff any alleged violations of this policy or any other actions which they believe may violate related information security and confidentiality policies and rules.

Adopted: May 15, 2015 (responsible department: LID)  
Reviewed: October 10, 2024







## H-190b DIGITAL COMMUNICATIONS

### PURPOSE

Access to Gateway Technical College (Gateway or college) provided digital communications services, along with their responsible use, is critical for academic, administrative, and promotional/marketing purposes. In addition to outlining required behaviors related to digital communications services, this policy is enacted in a spirit of presenting a positive, professional college image and enhancing Gateway's customer service efforts. This policy applies to all college employees, contractors, volunteers, and students (all users).

### DEFINITIONS

**Digital Communications** includes content in college-provided digital accounts, email, calendars, cloud file storage, chat/messaging apps, content posted on college-administered websites, postings on social media websites, usage of internet bandwidth, and other tools that allow for the sharing/transmission of digital information.

**Students:** For the purpose of this policy, student means a person who has registered for classes or applied to a program in the past year.

### POLICY STATEMENT

1. Gateway's digital communication services are college resources intended to be used for instruction, instructional support, faculty advising, service, administration, and college-related correspondence in support of the college's mission.
2. Email remains an effective means of communicating official college information to current students, employees, and our community stakeholders. To this end, the college provides an email address for current students, faculty, staff, and other authorized persons who are affiliated with the college for their use when engaging in activities related to their roles in the college.
3. The college uses Gateway-provided email to communicate with current students, faculty, and staff, and the college expects that those communications will be received and read in a timely fashion.
4. Student accounts will be disabled when they are determined to be "inactive" for an established time period.
5. Employee accounts are routinely disabled upon separation from the College. Exceptions are made periodically by Human Resources personnel for official purposes.
6. Employees of Gateway must use the college-provided email system for all official email communications. Employees may not use their own personal email accounts in any business or student-related correspondence. Employees corresponding with admitted students should send to the student's Gateway provided student email address.
7. Users are responsible for safeguarding their account username and password and for using them only as authorized. Each user is responsible for all digital communications made under the authorization of their account. Instances of accounts being compromised must be reported to the Learning Innovation Division (LID) Tech Central Help Desk immediately.
8. Unauthorized access of other users' accounts is strictly prohibited.
9. Access to digital communication services, while essential, also imposes on users certain accompanying responsibilities. The same standards of conduct that are expected of students, faculty, and staff regarding the use of the college facilities, services, and resources also apply to the use of college digital communication services.



10. Users may not access, use, or disclose personal or confidential information in the college's custody without appropriate authorization, and they must take necessary precautions to protect the confidentiality of personal or confidential information in compliance with college policy and applicable law, regardless of whether the information is maintained on paper or whether it is found in email or other digital records.
11. In no instance may digital communication services or college computing resources be used for commercial, campaign, or political purposes. Any promotion of outside businesses or groups must be related to college goals/initiatives and approved by a vice president of the College.
12. Digital communications may not be used with the intent to disrupt communication or other system services.
13. Digital communications that are interpreted as harassment by any recipient are prohibited. Please refer to policy H-110: Equal Opportunity, Sexual Misconduct, and Civil Rights for definitions and further information.
14. Using Gateway digital communication systems for malicious purposes (e.g. phishing, spamming, denial of service attacks, etc.) is prohibited.
15. Use of college-provided digital communication services for personal communications shall be comparable to what is allowed for personal local use of college telephones (See Policy D-110, Telephone Usage).
16. Limited personal use of digital communication services is permitted so long as that use:
  - a. does not create any cost to the college;
  - b. (in the case of employees) does not interfere with or take precedence over an employee's assigned duties;
  - c. is limited in volume and frequency;
  - d. is brief in duration;
  - e. does not disrupt college business;
  - f. does not compromise the security or integrity of college information, systems, or software;
  - g. is not illegal;
  - h. is not otherwise prohibited by this policy, the employee Code of Conduct, and other college policy, college directive or departmental rule.
17. Digital communications must meet the same standards for distribution or display as if they were physical documents. Individuals must identify themselves clearly and accurately on all digital communications. Willful misrepresentation of oneself or another individual is not permitted on the College's network or in any other digital communication with other parties.
18. Digital communication must be designed, in accordance with division accessibility plans and to the fullest extent possible, so as to comply with section 504 of the Rehabilitation Act and the ADA and in a manner that makes them accessible to those with visual, auditory, and other disabilities.

## **Employee Calendar Settings**

1. Employees must set their college-provided calendar visibility to "Show Busy/Free" as this facilitates collaboration and communication among employees. Employees may not override these default settings.

## **Web Accessibility**

1. All new or revised web pages and other electronic resources, including those hosted, published, or otherwise provided by the college must comply with the current version of WCAG AA standards as required by section 508 of the Rehabilitation Act of 1973. The term "webpage" shall be interpreted broadly and does not depend on the type of service or hosting devices, or types of software used, or by the technical means in which the client and host communicate over the web.



2. All linked content, whether from Gateway's website, Learning Management System (LMS), mobile application(s), social media site(s), or other program(s) or services, must be accessible according to the current version of WCAG AA standards and other college policies, such as video captioning, webpages, or resources specifically requested to be made accessible shall be made accessible as soon as possible and without delay, or an equally effective alternative shall be provided. Equally effective means providing the same information and functions in a timely fashion comparable to the original webpage or resource.

## Email Retention, Archiving, and Privacy

1. Be advised that state law (Section 19.35 Wisconsin Statutes) requires that records created or kept by Gateway, including digital communications and electronic files, must be made available for public inspection and copying, subject to limited exceptions. In addition, unless protected by legal privilege, digital communications and electronic files can and will be discoverable in litigation that involves the College. Email backups will be retained for three (3) years, unless they are archived longer due to ongoing investigation/litigation.
2. While Gateway respects the privacy of users and does not routinely inspect or monitor an individual's use of the College's computing and network resources, the College cannot provide a guarantee of privacy of an individual's digital communication activities, electronic files, or system access records, etc. This information may be used in investigations and/or disciplinary proceedings at the College's discretion.
3. There should be no expectation of privacy in regard to digital communications of any kind sent or received from college email accounts or from college systems or computers.

## Mass Communications

1. Email should not be used for mass mailings to the entire college community except when the message is of benefit to the District as a whole. Announcements intended for the use of individual groups within the college community should be sent only to those smaller groups.
2. Using the '\_Everyone' email distribution list for the sole purpose of expressing one's personal opinion or to make appeals to the college-at-large is expressly prohibited.
3. Messages sent to the '\_Everyone' distribution list must meet the following criteria:
  - a. Your message must be about a Gateway-sanctioned program, event, or issue.
  - b. The vast majority of Gateway employees on every campus and center must know what or who you are talking about and benefit from the information.
  - c. The event must be open and accessible to all Gateway employees.
  - d. You must ensure the information shared is intended for public knowledge.
  - e. You must ensure this is the only communication method that is appropriate for your message.
4. If your message meets the standards for use of the '\_Everyone' distribution list and you have authorization from your divisional vice president, you must put the '\_Everyone' address in the bcc field of your email message. This limits the ability of recipients to 'reply all' to the message.

## Employee email Formatting Requirements

1. Email Body Requirements:
  - a. Background formats/images may not be used on emails.
  - b. Recommended font, color and size for Gateway email text:
    - 1) Sans Serif, Black, Normal
    - 2) Arial, Black, 12 pt.
2. Email Signature Line Requirements:
  - a. In the interest of presenting a consistent and professional image, the use of an official email signature template is required.



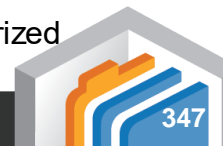
- b. Template Information Includes:
  - 1) Your Name
  - 2) Official Gateway Job Title
  - 3) Gateway Technical College
  - 4) Address
  - 5) Office phone number (262-xxx-xxxx), FAX number (if used), and cell phone number (if applicable)
  - 6) All email signatures must contain the Wisconsin Relay number next to the employee's phone number. The format should be written out as "Wisconsin Relay 711."
  - 7) Email Address
  - 8) Approved Gateway Logos - These are available on the Gateway Intranet in the Marketing Department sub-page
- c. Department Specific Message - as directed by departmental leadership (if required)
  - 1) You may include a department-specific message as directed by your supervisor.
  - 2) If your supervisor has determined that your department should include a confidentiality statement in your Gateway email communications, you must use the following language:  
*Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized use, disclosure, forwarding, or distribution is prohibited. If you are not the intended recipient, please notify the sender by reply e-mail and destroy all copies of the original message.*
- d. You may include one additional item from the list below:
  - 1) The current Gateway Mission Statement
  - 2) 'Think green before printing. Please consider the environment before printing this email. Save a tree.'
  - 3) Your Clifton StrengthsFinder top 5 strengths.
- e. **Other phrases or graphics may not be included in Gateway email signature lines.**

## Gateway Provided Account Images for Employees

1. In the interest of presenting a professional, consistent image to recipients of Gateway college's digital communications, the personnel profile images in our email software will be populated from our Gateway issued ID system image files.
  - a. If a new photo is taken by Gateway for a new ID, any new photos taken with the ID card system will automatically replace previous images.
  - b. Use of other images in any other college systems/accounts must follow the requirements below:
    - The image must be a head shot of YOU, not of any other individual.
    - Your face must be recognizable and take up most of the image space.
    - Pictures must adhere to Gateway dress policy and other standards.
    - If Gateway requests that you remove any image from your college account profiles because the image, in Gateway's opinion, does not satisfy the above requirements, you must remove the photo as soon as reasonably practicable.
  - c. Personnel may opt out of use of a personal ID photo in connection with their college accounts in which case a Gateway logo will be used instead of the ID photo. All such opt out requests should be submitted to Human Resources.
2. Personnel ID photos may only be used for Gateway authorized purposes.

## Student ID Photos

1. We do not currently use ID photos on student accounts.
2. Student ID photos may only be released for security or safety purposes and only to authorized Gateway, security, or law enforcement personnel.





3. Any other uses of Student ID photos must be authorized in advance by a divisional vice president. Any such uses will only be granted at the discretion of a divisional vice president and only for purposes related to Gateway business.

### **Shared College Email Account Images (Accessed by Multiple Staff Members)**

1. Gateway approved logos may be used only for shared college email accounts with authorization from your divisional vice president.
2. Approved logos for these shared email accounts will be provided by the college Marketing department.

### **Violations**

Please refer to Policy H-190-Computer Networking and Information Resources for sanctions regarding technology policy violations.





## H-190c TECHNOLOGY PROCUREMENT

### Policy Statement

The Learning Innovation Division (LID) is responsible for maintaining the college network, servers, workstations, peripherals, and other technology resources in a cost-effective and efficient manner. Therefore, all technology-related items and services, regardless of funding source, are to be centrally procured through LID. Accessible technology is a requirement under Section 504 of the Rehabilitation Act and the ADA. All technology purchased and used by any division of the college must be accessible, to the fullest extent possible, to those with auditory, visual, and other disabilities. Follow the procedures and best practices outlined on the LID Intranet, Technology Procurement page.

Per policy H-155, accessible technology is a requirement under Section 504 of the Rehabilitation Act and the ADA. All technology purchased and used by any division of the college must be accessible, to the fullest extent possible, to those with auditory, visual, and other disabilities.

### Purpose

1. The purpose of this policy is to provide guidelines, procedures, and requirements for standardizing the procurement life-cycle of all college technology resources.
2. To ensure compliance with accessibility standards per policy H-155.
3. The most successful technology solutions will be those that are developed in collaboration with LID personnel. This ensures that purchased technology meets the college's infrastructure and network communication standards and integrates with existing applications. It is imperative that LID be kept apprised of planned technology purchases well in advance of those deployments.
4. A centralized technology procurement procedure can often deliver the following benefits:
  - a. **Cost Savings:** savings can be realized through discounts, brand and model standardization where appropriate, and volume purchasing;
  - b. **Consulting Services:** LID staff are available to consult on the best options;
  - c. **Support:** centralized procurement affords more effective and efficient maintenance and provides a known 'support state' at the time of purchase;
  - d. **Tracking:** appropriate equipment and software licenses will be added to the college's technology inventory database maintained by LID to facilitate effective planning, maintenance, upgrades, and disposal;
  - e. **Future-proofing:** ensures continuity and integration between all technology resources to facilitate collaboration and goal achievement;
  - f. **Compliance:** license compliance guidance for software purchases.

### Definitions

1. **Technology Resources** - Examples include, but are not limited to: all computers, mobile devices (phones, tablets, etc.), electronic data storage, software (CD/DVD, digital downloads, free software, Software as a Service (SAAS), apps, subscriptions), and peripherals owned and/or controlled by the college, including local, wide-area, and wireless network infrastructure, as well as instructional technology that connects to a network.
2. **Procurement Life-Cycle** - The process of identifying, sourcing, approving, obtaining, implementing, maintaining, renewing, and disposing of technology resources.
3. **Services** - These include annual maintenance agreements, software implementation services, consulting and contracted services the college must pay to continue the use of selected technology solutions.



4. **Consumables** - Any supply item that is expended in the course of operating a technology resource. An example of consumables is toner. (*Paper has a separate order process.*)
5. **Network** - Computers and other technology devices connected to each other via telecommunication channels that allow the exchange of data.
6. **Server** - A computer or computer program that manages access to a centralized resource or service in a network.
7. **Workstation** - A general purpose computer intended for use by end-users.
8. **Peripheral** - A device that is connected to a computer and extends its capabilities. Examples of peripherals include, but are not limited to: mice, keyboards, monitors, card readers, external drives, printers, VR/AR headsets, and 3D printers.
9. **Users** - Individuals, whether a member of the college community or not, who are granted access to the college's technology resources, whether on campus or from remote locations. Those individuals include, but are not limited to: faculty, students, staff, guests, visitors, and those working on behalf of the college.
10. **Accessibility - Per policy H0155**, IT accessibility and technology procurement applies to all solicitations, responses thereto, and contracts for websites, web applications, software systems, electronic documents, e-learning, mobile applications, multimedia and programmable user interfaces wherever practicable. It covers the technology's user interface, access and content, but does not cover content that a user may encounter after leaving the covered technology (example: links to other web content). It applies to all technology interfaces that are intended for use by students, employees, and visitors of Gateway Technical College.

## Accessible Technology Procurement Requirements per policy H-155:

Bidders and vendors must demonstrate compliance with the latest WCAG AA and section 508 requirements in one of the following ways:

- a. Conducting an independent third party evaluation from an accessibility consultant or by requesting a Voluntary Product Accessibility Template (VPAT) available from the Information Technology Industry Council at <https://www.itic.org/policy/accessibility/vpat>.
- b. Wherever practical, Gateway will consult with qualified internal staff with expertise in IT accessibility in an attempt to validate the information provided by bidders and vendors, by obtaining additional information from the bidder or vendor to develop a thorough understanding of the accessibility of the product or service.
- c. Consulting with third parties who have evaluated the product or service; or conducting an internal evaluation of the accessibility of the product or service.

The above requirements will be included in all technology and IT-related RFP solicitations and contracts using the following language:

**Accessibility.** Vendor represents that it is committed to promoting and improving accessibility of all its products as specified in Gateway Technical College's technology policy, and will remain committed throughout the term of this Agreement. If the Products and Services are not in conformance with all applicable federal and state disability laws, policies, and regulations as of the effective date, Vendor shall negotiate a timeline and plan with Gateway to update the Products and Services so as to be in conformance therewith. In the event any issues arise regarding Vendor's compliance with applicable federal or state disability laws, policies and regulations, Gateway may send communications to Vendor and Vendor will assign a person with accessibility expertise to reply to Gateway within two business days.

## Related Policies

1. Policy A-110 - Instructional Resources
2. Policy C-130 - Emergency Procurements





### 3. Policy H-155 - College Accessibility

#### **Non-Compliance**

Violations of this policy will be subject to the sanctions outlined in policy H-190.

Adopted: December 7, 2015 (responsible department: LID)

Reviewed: 11/07/2024



## H - 190d DATA SECURITY POLICY

### PURPOSE

Gateway Technical College recognizes that as part of our operations we must collect and store data. The purpose of this policy is to describe how sensitive data must be handled, stored, and secured in order to meet Gateway Technical College's data protection standards, comply with applicable laws, statutes, and regulations, and protect the rights of staff, students, and any related data subjects.

### SCOPE

This Data Security Policy applies to all business processes, information systems and components, personnel, and physical areas of Gateway Technical College. This policy applies to the storage and handling of sensitive data and any other procedures related to sensitive data of any individual in both electronic and physical format.

Individuals or groups this policy applies to include, but are not limited to:

- All current and past Gateway Board of Trustees members
- All current and past employees of Gateway Technical College, regardless of full-time or part-time status
- All contractors, suppliers, casual employees, work-studies, and interns working on behalf of Gateway
- Tenants of Gateway Technical College
- Clubs, associations, unions, etc. affiliated with Gateway
- All students and customers of Gateway Technical College
- Any other individuals or entities working on behalf of Gateway Technical College

The individuals and groups listed above are considered to be "Data Users" and will be referenced as such throughout this policy.

### DEFINITIONS

**Data:** Information in a format that can be processed, stored, shared, or transmitted including electronic data and physical data.

**Sensitive Data:** Any information that is protected against unwarranted disclosure. Protection of sensitive data may be required for legal or ethical reasons or for issues pertaining to personal privacy. Sensitive data includes, but is not limited to:

Personally Identifiable Information (PII), as defined by Wisconsin Legislature s. 19.62(5)

- Protected Health Information (PHI), as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA)
- Student Records, as defined by the Family Educational Rights and Privacy Acts of 1974 (FERPA)
- Customer record information, as defined by the Gramm Leach Bliley Act (GLBA)
- Card holder data, as defined by the Payment Card Industry Data Security Standard (PCI DSS)
- Confidential personnel information



**Data User:** Any individual or group listed in the scope of this policy who currently has, or has previously had, access to sensitive data.

**Data Subject:** An identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person.

**Data Steward:** Refers to the individuals responsible for defining and maintaining appropriate data handling procedures that are compliant with this policy and in accordance with relevant data protection laws, regulations, and standards. Data Stewards are also Data Users for the purposes of this policy. Data Stewards authorize the use of data they are responsible for and monitor this use to verify appropriate data access. They support access by providing appropriate documentation and training to support college data users. Data Stewards are appointed by their divisional Vice Presidents based on responsibilities around data administration.

**Data Storage:** These rules describe how and where data should be safely stored. Questions about storing electronic data safely can be directed to the Learning Innovation Division (LID).

**Unauthorized Person:** Any individual who does not have a legitimate business purpose for accessing or viewing sensitive data. A legitimate business purpose goes beyond an individual desire to access/view the data.

## Governing Laws, Regulations, and Standards

Governing laws, regulations, and standards include but are not limited to the following:

Guidance	Clarification/Section
ADA	Americans with Disabilities Act
GINA Act of 2008	Genetic Information Nondiscrimination Act
Family Educational Rights and Privacy Act of 1974	United States Department of Education student data protection regulation
Health Insurance Portability and Accountability Act of 1996	United States Department of Health protected health information data protection regulation
Payment Card Industry Data Security Standard	Payment Card Industry information security standard
Gramm-Leach-Bliley Act	United States law protecting consumer financial data
*Data Protection Act 2018	United Kingdom data protection regulation
**General Data Protection Regulation (GDPR) 2016/679	European Union (EU) data protection regulation [a regulation in EU law on data protection and privacy for all individuals within the European Union (EU) and the European Economic Area (EEA).]
<a href="#">NIST Special Publication 800-88 Revision 1 - Guidelines for Media Sanitization</a>	Table 5-1: Sanitization Methods that provide guidance on the size of shredded documents, etc.
<a href="https://csrc.nist.gov/publication/detail/sp/800-171/rev-2/final">https://csrc.nist.gov/publication/detail/sp/800-171/rev-2/final</a>	<b>NIST - SP 800-171 Rev. 2</b> - Protecting Controlled Unclassified Information in Nonfederal Systems and Organizations



## Gateway Technical College

*\*\*General Data Protection Regulation is a regulation in EU law and is only applied as it impacts Gateway Technical College*

## POLICY STATEMENTS

### BASELINE REQUIREMENTS:

- Employees will keep all data secure by taking reasonable precautions and following guidelines outlined within this policy and any associated procedures.
- Data may not be shared informally. Data access levels will be determined based on role and existing access controls.
- Sensitive data will not be disclosed to any unauthorized person, either within the organization or externally.
- Authorized entities or persons are required to have a legitimate business purpose, data sharing agreement, contracted vendor responsibilities statement, and or non-disclosure agreement which declares the data being shared as sensitive.
- LID will implement encryption on managed end points where applicable (examples include staff/faculty/lab computers and Gateway-issued mobile phones).

### DATA USERS:

- Data Users will handle sensitive data in a manner that is in accordance with the laws, regulations, and standards covered by this policy.
- When working with sensitive data, or when a user's account has access to sensitive data, users will ensure screens/computers are locked with a secure password when left unattended.
- Sensitive data may not be shared via email unless the data is protected by encryption. Contact your supervisor or the Learning Innovation Division if you need assistance in ensuring data is transmitted securely.
- Data Users and Data Stewards shall not unnecessarily duplicate sensitive data.
- Where applicable, Data Users and or Data Stewards will provide each Data Subject with information regarding the processing of their information.
- Data Users will act in the best interest of Data Subjects when handling sensitive data.

### DATA STORAGE:

- When data is stored electronically, it must be protected from unauthorized access, accidental deletion, and malicious hacking attempts.
- Data Users shall protect sensitive data with strong passwords.
- Data Users will refrain from saving data directly to end-user devices.
- Data Handlers will refrain from using removable media; if data is stored on removable media devices, they must be stored securely.
- Gateway Technical College data may only be stored on college-authorized networks, college-authorized cloud storage services, and/or college-authorized SaaS applications. Backups are not performed on Gateway endpoints/computers provided to faculty and staff.
- Computing hardware that stores sensitive data shall be housed in secure locations.
- Data Users will refrain from storing data on paper and only print when necessary.
- When not actively in use, paper or files containing sensitive data must be kept in a locked drawer or filing cabinet.



people could view them, for example, on a printer.

## DATA ACCURACY:

- Data Stewards and Data Users must take reasonable steps to ensure sensitive data is as accurate as possible.
- Data stored at Gateway Technical College is held in centralized locations. Data Users should refrain from duplicating/copying data to create local versions. The use of additional data sets may have a negative impact on data integrity. Where this practice may be required, Data Users must be aware of additional liabilities and safeguards that may be applicable.
- Where applicable, Gateway Technical College will ensure Data Subjects can easily update their information.

## DATA RETENTION:

- Data should be periodically reviewed and deleted or disposed of if no longer required by policy, procedure, or regulation. Physical destruction of data on hard drives must adhere to Policy E-200 - Disposal of College Property. The College will determine the appropriate retention periods for all types of data.
- Gateway provides limited backups for approved college-provided network/cloud storage options and may attempt to retrieve files specified by users and recover files after accidental loss of data on its storage services. However, Gateway cannot be held accountable for unauthorized access by other users and is not liable for the inadvertent or unavoidable loss or disclosure of the contents of stored files. College-authorized data backups shall be executed by authorized/assigned LID personnel.
- Paper documents and printer ribbons in designated departments must be shredded and disposed of securely when no longer required. The shred size of the refuse should be small enough that there is reasonable assurance in proportion to the data confidentiality that the data cannot be reconstructed.

## DATA PROTECTION:

- Gateway provides reasonable security against intrusion and damage to files stored on college-provided storage services. In the event that data has been corrupted as a result of suspected intrusion or malicious action, you must contact the Cyber Incident Response Team (CIRT) immediately at [CIRT@gtc.edu](mailto:CIRT@gtc.edu).
- Data Stewards and Data Users must follow associated procedures and notify the Cyber Incident Response Team (CIRT) team by emailing [cirt@gtc.edu](mailto:cirt@gtc.edu) when reporting incidents or data breaches.
- Individual staff/faculty users of software systems acknowledge that they have responsibility for securing and protecting all College data (including PII of students, staff, etc, and FERPA protected student data).
- As part of its procedures, LID will analyze data security practices both internally and externally (with vendors/providers, etc.) to identify potential data security risks and will provide procurement recommendations to the software requester/budget officer.
- By procuring software or by approving the procurement of software, staff/faculty users acknowledge that they are responsible for the data stored/used in the aforementioned systems.
- By procuring software or by approving the procurement of software, staff/faculty users acknowledge any risks identified by LID staff during the pre-procurement assessment.



## NON-COMPLIANCE

Violations of this policy will be subject to the sanctions outlined in policy H-190.

Adopted: 12/10/2018

Reviewed/Revised: 10/10/2024







## H-190e System Access, Identification, and Authentication

### Purpose

The purpose of this policy is to define standards for accessing Gateway Technical College's Network and Systems in a secure manner. These standards are designed to minimize the potential security exposure to Gateway Technical College from damages which may result from unauthorized use of Gateway Technical College resources or access to protected data. Authorization, identification, and authentication controls ensure that only known users make use of the College Network and Systems. Without these controls the potential exists that College Network and Systems could be accessed illicitly and that the security of College information could be compromised.

### Scope

This Identification and Authentication Policy applies to all networks, systems, and system components as well as all Authorized Individuals of all networks, systems, and system components of Gateway Technical College. Specifically, it includes:

- All employees, whether employed on a full-time, part-time, limited term, or casual employment basis by Gateway Technical College.
- All students, alumni, and other community members who have a reason to access Gateway Technical College systems.
- All contractors and third parties that work on behalf of Gateway Technical College who have a reason to access Gateway Technical College systems.
- All tenants and other third parties that work on behalf of tenants who have a reason to access Gateway Technical College systems.

### Definitions

**Authorized Individuals:** Gateway Technical College faculty, staff, students, community members, contractors, vendors, service providers, or any other individuals with authorized access to the information system in which the organization has the authority to impose rules of behavior with regard to system access.

**College Network and Systems:** Any Gateway Technical College network, system, or system component with access to college protected data, including but not limited to FERPA, HIPAA, and PII.

**Multifactor Authentication (MFA):** Authentication using two or more different factors to achieve access to a network or system. Possible factors include something you know (e.g., PIN or password); something you have (e.g., cryptographic identification device or token); or something you are (e.g., biometric).

**Shadow IT:** Technology solutions which originate in a functional Department or Division:

- with no consultation or involvement by LID staff prior to or during the solution selection or purchase.
- with limited consultation or involvement by LID staff prior to or during the solution selection or purchase.
- in spite of warning or objection by LID staff prior to or during the solution selection or purchase.

The three resulting primary concerns of Shadow IT are: security threats, compliance issues, and





supportability of the solution by LID resources.

## Policy Statements

- Gateway Technical College will authenticate (or verify) the identities of all users, system components, or devices as a prerequisite to allowing access to the College Network and Systems. Centrally managed identity and access management infrastructure is a requirement of all system authentication functions as technology permits.
- Multifactor Authentication is the preferred form of user authentication used to grant access to Gateway Technical College Networks and Systems.
- Periodic password expiration time frames may be defined for Networks and Systems.
- Passwords may be screened against lists of commonly used or compromised passwords and eliminated from potential use.
- Minimum password complexity and change of characters when new passwords are created is enforced.
- Gateway Technical College will prohibit password reuse for a specified number of generations.
- Gateway Technical College will store and transmit only encrypted representation of passwords.
- LID will have administrator level access to all College Networks and Systems for the purpose of performing periodic or ad hoc audits of College Networks and Systems to verify compliance with this policy.
- Users are responsible for safeguarding their account username and password and for using them only as authorized. All instances or suspicion of account credentials being compromised must be reported to the Gateway Technical College TECH CENTRAL Help Desk at (262) 564-3695 immediately.
- Sharing of credentials and the unauthorized access of other users' accounts is strictly prohibited.
- A network or system session timeout may be defined based on idle time and which may require the user to re-authenticate in order to re-activate the network or system access.

## Multifactor Options

The College will allow employees to choose from a selection of second factors for network or system login. These second factors, which may change from time to time, are described on the Gateway Technical College Intranet site in the section labeled "Learning Innovation Division" or "LID."

The College may offer a physical hardware authentication device (e.g., a Yubikey) as a factor. The College will cover the cost of an initial authentication device for college employees who choose this option. Employees may purchase a replacement authentication device if the College-provided one is lost, stolen, broken, or is otherwise unusable. An authentication device which has been lost or stolen must be reported to the Gateway Technical College TECH CENTRAL Help Desk at (262) 564-3695 immediately.

## Shadow IT

Implemented Shadow IT solutions (and the employees who utilize them) must follow relevant policies to ensure that appropriate standards for data management and security practices are met. Under no





circumstances will confidential or protected data be stored in any Shadow IT solution without compliance to this System Access, Identification, and Authentication Policy.

## Relevant Procedures

Relevant procedures, if any, will be located on the Gateway Technical College Intranet site in the section labeled “Learning Innovation Division” or “LID.”

## Exceptions

Exceptions to this policy will be considered by contacting the CIO or the Director of Information Technology.

## Instructional IT Network Provisions

The Learning Innovation Division has worked with the Academic IT department to assist in establishing separate wired and wireless networks for academic IT purposes. The intention is to provide a network for instructional purposes with unique configurations that may have an impact on security and other data protection practices but that facilitates IT instruction. This separate network may be attached to the college backbone if sufficient protection is implemented and maintained to prevent any detriment to the college’s production network. Certain provisions of this policy do not apply to applications/usage of this separate network. Separate instructional networks and their use by faculty and students are the sole responsibility of the associated academic department faculty and leadership. If LID becomes aware of detrimental impacts from the usage of the separate instructional network, staff will notify the Dean to take corrective action.

## Suspicion of Compromised Access or Unauthorized Activity

LID may revoke College Network or System access for a specific user(s) to investigate suspected compromised access or unauthorized activity.

## Non-Compliance

Violations of this policy will be subject to the sanctions outlined in policy H-190.

## Related Policies

- H-190 Computer, Networking, and Information Resources
- H-190b Digital Communications
- H-190c Technology Procurement
- H-190d Data Security Policy
- H-190i Password Policy
- H-192 Credit Card Processing and Security Policy
- H-195 Identity Theft Prevention Program
- H-197 Financial Systems Internal Controls





## H-190f Local and Remote Systems Protection Policy

### Purpose

The purpose of this policy is to ensure proper measures are in place to prevent unauthorized physical or remote access or damage to the College's network, systems, and facilities. This policy will also define the means of authorized access to the College's network, systems, and facilities.

### Scope

This Local and Remote Systems Protection Policy applies to all networks, systems, system components, personnel, and physical areas of Gateway Technical College. Local and Remote Systems areas include but are not limited to:

- Data centers or other facilities for which the primary purpose is the housing of IT infrastructure.
- Server rooms or other locations within shared facilities for which one of the primary purposes is the housing of IT infrastructure.
- Networks, systems, or IT infrastructure accessible via some method of remote connectivity.
- Gateway Technical College equipment which may be located in a non-college location.
- Switch and wiring closets or other facilities for which the primary purpose is not the housing of IT infrastructure.

### Definitions

**IT Infrastructure:** The combined set of hardware, software, structured cabling, telecommunications, network equipment, enterprise data storage devices, and physical facilities used to develop, test, deliver, monitor, control, or support IT services, and which may have access to college protected data, including but not limited to FERPA, HIPAA, and PII.

**Authorized Individuals:** May be some subset of Gateway Technical College faculty, staff, students, community members, contractors, vendors, service providers, or any other individuals with authorized access to Gateway Technical College IT Infrastructure and on which the organization has the authority to impose rules of behavior with regard to local or remote access.

**Authorized Non-Student Users:** A subset of Authorized Individuals who have been granted remote access to Gateway Technical College IT Infrastructure.

**Authorized Student Users:** A subset of Authorized Individuals who is a Gateway Technical College Student actively enrolled in a course and who requires limited remote access to Gateway Technical College IT Infrastructure.

**Multifactor Authentication (MFA):** Authentication using two or more different factors to achieve access to a network or system. Possible factors include something you know (e.g., PIN or password); something you have (e.g., cryptographic identification device or token); or something you are (e.g., biometric).



**Remote Access:** The ability for users or devices to utilize the College's private network and systems from a location outside of the network's physical premises.

## Policy Statements

### Local Access and Security:

- Gateway Technical College will limit and monitor physical access to data centers, server rooms, switch and wiring closets, and other facilities housing IT Infrastructure to specific Authorized Individuals in conformance with policy E-115, FACILITY ACCESS AND CONTROL.

### Remote Network and Systems Access:

- Gateway Technical College will authenticate or verify the identities of all remote users, processes, or devices as a prerequisite to allowing remote access to the College's network and systems.
- Any remote access technology will be in compliance with policy H190e, System Access, Identification, and Authentication.
- Gateway Technical College shall remove Authorized Individuals from this access when access is no longer required.
- Multifactor Authentication is the preferred form of user authentication used to grant remote access to Gateway Technical College's networks and systems.
- Gateway Technical College may require an Authorized Individual to complete a Security Management Questionnaire and/or Network Access Agreement prior to granting remote network or system access.
- Gateway Technical College may require an Authorized Individual previously approved for remote access to provide a reason for accessing remote network or system resources for each new remote access event.
- Authorized Non-Student Users are permitted remote access to the College's VPN client, virtual desktop, remote desktop, or other LID-approved methods. The VPN client can only be installed and used on a College-owned device.
- Authorized Student users may permitted remote access to the College using one or more of the following methods depending on the use case: College-provided VPN client, virtual desktop, remote desktop, or other LID-approved methods. LID will work with faculty/Deans to identify the appropriate technology to use for remote access.

### Additional Security Guidelines:

- Gateway Technical College staff will verify the identity of any third-party persons claiming to be repair or maintenance personnel prior to granting them local or remote access to modify or troubleshoot any Gateway Technical College network or systems.
- Gateway Technical College staff will immediately report suspicious behavior and indications of device tampering or substitution to the Tech Central Help Desk, a supervisor, or security.



- All data centers, server rooms, switch and wiring closets, and other facilities housing IT Infrastructure will have electronic door access with the ability to monitor, audit, and revoke access.

## Relevant Procedures

Relevant procedures, if any, are located on the Gateway Technical College Intranet site in the section labeled “Learning Innovation Division” or “LID.”

## Exceptions

Exceptions to this policy will be considered by contacting the CIO or Director of Information Technology.

## Instructional IT Network Provisions

The Learning Innovation Division has worked with the Academic IT department to assist in establishing separate wired and wireless networks for academic IT purposes. The intention is to provide a network for instructional purposes with unique configurations that may have an impact on security and other data protection practices but that facilitates IT instruction. This separate network may be attached to the college backbone if sufficient protection is implemented and maintained to prevent any detriment to the college’s production network. Certain provisions of this policy do not apply to applications/usage of this separate network. Separate instructional networks and their use by faculty and students are the sole responsibility of the associated academic department faculty and leadership. If LID becomes aware of detrimental impacts from the usage of the separate instructional network, staff will notify the Dean to take corrective action.

## Suspicion of Compromised Access or Unauthorized Activity

LID may revoke College Network or System access for a specific user(s) to investigate suspected compromised access or unauthorized activity.

## Non-Compliance

Violations of this policy will be subject to the sanctions outlined in policy H-190.

## Related Policies

E-115 Facility Access and Control  
H-190 Computer, Networking, and Information Resources  
H-190b Digital Communications  
H-190c Technology Procurement  
H-190d Data Security Policy  
H-190e System Access, Identification, and Authentication Policy  
H-190i Password Policy  
H-192 Credit Card Processing and Security Policy  
H-195 Identity Theft Prevention Program  
H-197 Financial Systems Internal Controls



# H-190f Local and Remote Systems Protection

Gateway Technical College  
All Employees  
Created: January 17, 2025





## H - 190g Information Security Incident Management

### Purpose

The ability to respond to cyber security incidents is of paramount importance to all College operations. Gateway Technical College's incident response capabilities are used to monitor for security incidents, determine the magnitude of the threat presented by these incidents, and respond to these incidents.

The purpose of this policy is to ensure proper detection, containment, remediation, and communication of security events and weaknesses through a formal process.

### Scope

This Information Security Incident Management Policy applies to all business processes, information systems and components, and personnel of Gateway Technical College. This includes IT resources provided through contracts and other agreements. This policy applies to all users of Gateway information resources.

### Definitions

**CIRT:** Cyber Incident Response Team. A Gateway team comprised of the Chief Information Officer, the Chief Financial Officer, designated Facilities staff, the Risk Management Coordinator, and additional Learning Innovation Division (LID) leadership.

The CIRT is authorized to take appropriate steps to contain and remediate incidents.

The CIRT is empowered to involve additional staff across the college, as necessary, to remediate and respond to any incident.

**Event:** Any observable occurrence related to information technology resource.

**Incident:** An occurrence that (1) actually or imminently jeopardizes, without lawful authority, the integrity, confidentiality, or availability of information or an information system; or (2) constitutes a violation or imminent threat of violation of law, security policies, security procedures, or acceptable use policies.

**Incident Response:** An action plan for addressing cyber attacks, vulnerabilities, and/or misuse of Information Technology Resources.

**Vulnerability:** A weakness in a system, application, or network that is potentially subject to exploitation or misuse.

### Governing Laws, Regulations, and Standards

Governing laws, regulations, and standards include but are not limited to the following:





Guidance	Clarification/Section
Family Educational Rights and Privacy Act of 1974	United States Department of Education student data protection regulation
Health Insurance Portability and Accountability Act of 1996	United States Department of Health protected health information data protection regulation
Payment Card Industry Data Security Standard	Payment Card Industry information security standard
Gramm-Leach-Bliley Act	United States law protecting consumer financial data
*Data Protection Act 2018	United Kingdom data protection regulation
**General Data Protection Regulation (GDPR) 2016/679	European Union (EU) data protection regulation [a regulation in EU law on data protection and privacy for all individuals within the European Union (EU) and the European Economic Area (EEA).]
<a href="#">NIST Special Publication 800-88 Revision 1 - Guidelines for Media Sanitization</a>	Table 5-1: Sanitization Methods that provide guidance on the size of shredded documents, etc.

*\*Data Protection Act 2018 is a United Kingdom Act of Parliament and is only applied as it impacts Gateway Technical College.*

*\*\*General Data Protection Regulation is a regulation in EU law and is only applied as it impacts Gateway Technical College*

## Policy Statements

### Management of Information Security Incidents

- Incident management responsibilities and procedures must be established and maintained to ensure timely response procedures to incidents.
- The incident response capability should include a defined plan which must address:
  - Establishment of a Cyber Incident Response Team (CIRT)
  - Incident Reporting
  - Incident Response
  - Notification
  - Post Incident Review
- Information security events will be assessed to determine if they should be identified as information security incidents.
- Incident responses will follow procedures based on documented organizational processes.
- Incident response procedures will be reviewed on an annual basis, and any required



updates will be communicated to the appropriate parties.

- Information gained from responding to and resolving incidents will be used to reduce potential future incidents.
- Reporting:
  - Information security events must be reported through proper channels. Incidents will be tracked as they occur.
  - Any vulnerability, suspected or verified, in systems and services must be reported by employees or third-party contractors using those systems and services.
  - Any suspected data breach or other misuse of protected College data must immediately be reported to the CIRT (Cyber Incident Response Team), Tech Central, or Talent and Culture.

### **Relevant Procedures**

Relevant procedures regarding incident response are documented in the Gateway Technical College Information Security Incident Response Plan housed on the Learning Innovation Division (LID) Intranet site.

Other procedures and related policies for PCI-related compliance are maintained by the Business Office and Student Finance Department.

### **Non-Compliance**

Violations of this policy will be subject to the sanctions outlined in policy H-190.

### **Related Policies**

*H-192 Credit Card Processing and Security Policy*



## H - 190h ERP System Access, Security, Updates, and Backup

### Purpose

The purpose of this policy is to implement, control, and secure systems for which the Information Systems department (I.S.) is responsible. This policy governs all Information Systems supported systems that impact financial reporting.

### Scope

This Policy applies to all systems and system components related to the ERP and its financial reporting system of Gateway Technical College. This includes, but is not limited to:

- All employees, whether employed on a full-time, part-time, limited term, or casual employment basis by Gateway Technical College.
- Any other account holders with access to college ERP systems and resources.

### Definitions:

**ERP:** Enterprise Resource Planning systems. (As of 10/11/2022 this is Ellucian's Colleague)

**Data Steward: (Also known as Data Owners)** Refers to the individuals responsible for defining and maintaining appropriate data handling procedures that are compliant with this policy and in accordance with relevant data protection laws, regulations, and standards. Data Stewards are also Data Users for the purposes of this policy.

**Data User:** Any individual or group listed in the scope of this policy who currently has, or has previously had, access to sensitive data.

## POLICY STATEMENTS

### Colleague and Perceptive Content Access Approval

- Requests for access must come from staff supervisors; requests from the supervisor's secretary, associate, or assistant do not count as supervisor approval regardless of the supervisor being copied or including "per the supervisor."
- The only exceptions to this requirement are for the president's assistant and for Data Stewards who can grant access to data for which they are the owners. Data Stewards will be at director/dean level or higher with a few exceptions.

### Colleague Customization

- To support the effort of minimizing and/or eliminating Colleague customizations, all staff requesting new customizations will need to review the request with I.S. and the vice president of the applicable area to determine what alternatives there may be and, if it is felt the customization is still needed, receive the approval of that vice president.
- The above will also be required as I.S. reviews existing customizations.

**Back Up and Disaster / Recovery Plan**

- Backup will be performed daily and stored at one local and multiple remote locations.
- Full or partial backup can be restored when a proper request is received.
- In case of a disaster in Kenosha, a separate site is maintained where the college can continue to run Colleague.

**Applying Updates**

- Colleague updates are applied in batches 2-3 times a year. A batch will consist of all updates issued up to a given date and include all dependencies. These updates are applied as follows:
  - The updates are applied to a test account.
  - A list of updates is sent to those that have requested it.
  - Affected customizations are found and the requesters of the customization are notified and asked if the customization is still necessary.
  - Applicable customizations are re-applied.
  - The staff notified of the updates are notified that the updates are available for testing and of the intended date to apply the updates to production.
  - If no issues are raised the updates are applied to production along with any re-applied customizations on the date previously provided.
- Applying individual updates to Colleague will be performed after receiving a request from the manager level or above. These updates are applied as above except for the following:
  - The communication is limited to the requester, areas affected by any update dependencies, and the requester(s) of any affected customizations.
  - The updates are applied to production when the requester, affected areas, and requester(s) of any affected customizations agree.

**NON-COMPLIANCE**

Violations of this policy will be subject to the sanctions outlined in policy H-190.

Reviewed: 10/10/2024



# H-190i - Gateway Technical College Password Policy

## Purpose

This policy describes the College's requirements for acceptable password selection and maintenance to maximize security of the password and minimize its misuse or theft.

Passwords are the most frequently utilized form of authentication for accessing a computing resource. Due to the use of weak passwords, the proliferation of automated password-cracking programs, and the activity of malicious hackers and spammers, they are very often also the weakest link in securing personal and College data. Weak passwords increase the likelihood of unauthorized systems access, data loss, ransomware attacks, and other malicious activity which puts the College at risk. For these reasons, passwords must adhere to the policy statement found below.

## Scope

This Password Policy applies to all networks, systems, and system components as well as all Authorized Individuals of all networks, systems, and system components of Gateway Technical College. This includes, but is not limited to:

- All employees, whether employed on a full-time, part-time, limited term, or casual employment basis by Gateway Technical College.
- All students, alumni, and other community members who have a reason to access Gateway Technical College systems.
- All contractors and third parties that work on behalf of Gateway Technical College who have a reason to access Gateway Technical College systems.
- Any other account holders with access to college systems and resources.

## Password Requirements and Account Security Actions

- Must be a minimum of 14 characters in length
- Must contain both letters and numbers
- Special characters are encouraged
- Should not contain your username, email, ID number, or other personal identifiers
- Passwords may be reset or otherwise be flagged as required to be changed if there is evidence to suggest account compromise
- In order to help prevent fraud, accounts will be temporarily locked out after successive unsuccessful login attempts. Accounts may be unlocked by performing a password reset.

## Additional Account Guidelines

- When available, multi-factor authentication (MFA) should be used to further protect accounts



- Passwords should be treated as confidential and should not be shared under any circumstances.
- Passwords are not to be written down or stored carelessly. Passwords are to be obscured during entry into information system login screens.
- If a password is suspected to have been compromised it should be changed immediately and this incident should be reported to [CIRT@gtc.edu](mailto:CIRT@gtc.edu)

## Non-Compliance

Violations of this policy will be subject to the sanctions outlined in policy H-190.

## Exceptions

Exceptions to these procedures will be considered by contacting the CIO or Director of Information Technology.



## H-190j Artificial Intelligence (AI) Usage Policy

### PURPOSE

Artificial Intelligence (AI) is a powerful set of emerging tools that can assist with producing work outputs and may also generate time-saving efficiencies when properly applied. The purpose of this Artificial Intelligence (AI) Policy is to provide guidelines for the use of generative artificial intelligence (e.g., ChatGPT, etc.) to those performing work and/or services for Gateway Technical College.

### SCOPE

This AI policy applies to all business processes, information systems and components, and personnel of Gateway Technical College. Those using generative AI in their work should consider what data they are using and whether or not such data usage is prohibited by college policy or otherwise generally cautioned against.

This Policy covers the use of Generative AI for College purposes. Individuals or groups this policy applies to include, but are not limited to:

- All Gateway Board of Trustees members
- All employees of Gateway Technical College, regardless of full-time or part-time status
- All contractors, suppliers, casual employees, work-studies, or others working on behalf of Gateway Technical College
- Clubs, associations, unions, etc. affiliated with Gateway
- All students and customers of Gateway Technical College

### DEFINITIONS

**Artificial Intelligence (AI):** Artificial Intelligence (AI) refers to the development of computer systems capable of performing tasks that typically require human intelligence. These tasks include understanding natural language, recognizing patterns, learning from experience, making decisions, and solving problems.

**Generative AI:** Generative AI is a type of artificial intelligence that can generate content, such as art, music, or text, and other forms of creative content typically associated with human creativity.

**Sensitive Data:** Any information that is protected against unwarranted disclosure. Protection of sensitive data may be required for legal or ethical reasons or for issues pertaining to personal privacy. Sensitive data includes, but is not limited to:

- Personally Identifiable Information (PII), as defined by Wisconsin Legislature s. 19.62(5)



- Protected Health Information (PHI), as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA)
- Student Records, as defined by the Family Educational Rights and Privacy Acts of 1974 (FERPA)
- Customer record information, as defined by the Gramm Leach Bliley Act (GLBA)
- Card holder data, as defined by the Payment Card Industry Data Security Standard (PCI DSS)
- Confidential personnel information
- Proprietary/confidential College data that, if shared, could compromise College operations, reputation, etc.

**Marketing and Sales use of the AI label:** Some systems/services may be marketed as having AI but may be of such limited capabilities that it might not fall under this policy. Assume that all AI fall under this policy unless confirmed otherwise by LID.

## POLICY STATEMENTS

- Sensitive Data shall not be entered into Generative AI (e.g., Social Security numbers, medical records, financial information, and driver's license numbers). The use of Generative AI must comply with all privacy, cybersecurity, education laws such as the Family Educational Rights and Privacy Act (FERPA), and institutional policies.
- Entering data into Generative AI tools or services is like posting that data on a public website. By design, these AI tools collect and store data from users as part of their learning process. You must assume that any data entered into such a tool will become part of the tool's training data, which it may then share with other users outside the College. You must read user agreements prior to using an AI tool to ensure you understand the data ownership/sharing language.
- All work product created using Generative AI must be independently validated by you as the end user for accuracy and legality consistent with the guidelines in this Policy and applicable law.
- Any output created by Generative AI (e.g. public documents, college statements, press releases, images, promotions, internal/external communications, etc.) must have human intervention, review, and approval before being used or relied upon. Staff members using AI for College work are ultimately responsible for all usage, content published, etc.
- Generative AI can produce inaccurate, misleading, or biased information. The use of Generative AI must not result in the college producing a public document that contains incorrect, inaccurate, misleading, or biased information. All users of AI are responsible for checking generated results for accuracy, bias, etc.
- The use of Generative AI must not result in plagiarism or copyright infringement.
- AI tools or services may not be used to generate content that results in violations of federal, state, or local laws; college policies, rules, or guidelines; or licensing agreements or contracts.





- If AI tools are determined to have malicious code, present a security risk, or in any other way jeopardize College network operations, etc. the College reserves the right to block or restrict access to those tools from the College network.
- Please be aware that the rapid advance in AI tools will result in many offerings that are less secure, less effective, and could be misrepresented by those companies and their sales staff. Use caution before adopting or using unknown or new AI tools.

## Exceptions

Exceptions to this policy will be determined after consideration by the CIO. Approval for exceptions will be provided in writing.

## NON-COMPLIANCE

Violations of this policy will be subject to the sanctions outlined in policy H-190.

## Related Policies

H-190 Computer, Networking, and Information Resources  
H-190b Digital Communications  
H-190c Technology  
Procurement H-190d  
Data Security Policy  
H-190e System Access, Identification, and Authentication  
H-190i Password Policy  
J-114 Academic Integrity

Adopted: (04/2024)



## H-192 CREDIT CARD PROCESSING AND SECURITY POLICY

### PURPOSE

The purpose of this policy is to establish guidelines for processing credit cards and storing personal cardholder data.

Gateway Technical College (Gateway or College) is committed to being in compliance with the Payment Card Industry's Data Security Standards (PCI DSS) for safeguarding personal cardholder data. These standards include requirements for transferring, handling, and storage of credit card data to ensure it is secure and protected.

### SCOPE

This policy applies to all Gateway employees, contracted temporary help, and consultants. It is applicable to any department that processes, transmits, or handles cardholder data in a physical or electronic format.

### BACKGROUND

PCI-DSS was established by the credit card industry in response to an increase in identity theft and credit card fraud. Compliance is required of all entities that store, process, or transmit cardholder data. PCI-DSS applies to all payment channels, including retail, mail/telephone order, and e-commerce. It is a multifaceted security standard that includes requirements for security management, policies, procedures, network architecture, software design, and other critical protective measures. This comprehensive standard is intended to help organizations pro-actively protect customer account data. The PCI standard is comprised of 12 requirements which are summarized below. More detail can be found at:

[www.pcisecuritystandards.org/security\\_standards/pci\\_dss.shtml](http://www.pcisecuritystandards.org/security_standards/pci_dss.shtml)

1. Build and Maintain a Secure Network and Systems
  - a. Install and maintain network security controls
  - b. Apply secure configurations to all system components
2. Protect Account Data
  - a. Protect stored account data
  - b. Protect cardholder data with strong cryptography during transmission over open, public networks.
3. Maintain a Vulnerability Management Program
  - a. Protect all systems and networks against malware software.
  - b. Develop and maintain secure systems and software.
4. Implement Strong Access Control Measures
  - a. Restrict access to system components and cardholder data by business need-to-know.
  - b. Identify users and authenticate access to system components
  - c. Restrict physical access to cardholder data
5. Regularly Monitor and Test Networks
  - a. Log and monitor all access to system components and cardholder data
  - b. Test security of systems and networks regularly.
6. Maintain an Information Security policy

Support information security with organizational policies and programs.



## POLICY

### 1. Equipment/Electronic Applications

- a. All transactions that involve the transfer of credit card data must be performed on terminals/POS systems or e-commerce applications that comply with PCI-DSS standards. The CFO or designee and the Director of Express Services will be responsible for verifying compliance with industry best standards for conducting payment applications through credit card terminals or Data Capture/Point of sale machines. The Information Services/Technology Department is responsible for ensuring any Data Capture/POS system or e-commerce connection, via the internet, meets all PCI compliance requirements. All Web based processing of credit cards will be done using a PCI compliant third-party service provider.
- b. Currently all chip-enabled/POS and mobile terminals are to be securely contained in these departments: Barber Cosmetology, Business Office, Call Center, Culinary Arts, Horticulture, and the Enrollment Services departments at each campus location. Any department that needs to accept credit/debit cards and obtain a physical terminal to either swipe or key transactions must contact the CFO to obtain approval prior to purchasing/or disposing of equipment. In addition, the department shall assist in completing the required paper work in order to obtain a Merchant Number and receive training/documentation on the proper procedures.
- c. Point of Interaction (POI) devices physical security - A list of all card-reading devices (make, model, serial number) must be maintained and all devices must be periodically inspected for possible tampering or substitution. Employees handling the POI devices are responsible for inspection of the devices and their supervisor is responsible for ensuring compliance with this policy and maintaining inspection logbooks. Payment device inspection training will be provided to staff as part of the annual required training on PCI-DSS.

### 2. Retention of Cardholder Data/Responsibilities for Processors:

#### a. Electronic:

- 1) Cardholder data will not be stored electronically in our application system except for the transaction approval code (authorization approval code).
- 2) **Do not** store the Card Validation Code (CAV2, CVV2, CVC2, CID) or the full contents of any track from the magnetic stripe.
- 3) Credit card/cardholder data **may not** be stored on a personal computer, laptop, or other electronic device.
- 4) Credit card/cardholder data **may not** be stored in an e-mail account.
- 5) Electronic lists of customer's credit card numbers **may not** be retained.
- 6) Credit card data should only be accepted via the website, by telephone, mail, or in person.
- 7) **Do not** accept or transmit cardholder data via e-mail or fax. If an e-mail is received from a customer with credit card data, promptly notify them to no longer send the data via e-mail and immediately delete the e-mail.

#### b. Hard Copy:

- 1) Credit card receipts (customer and merchant copy), as well as College provided cash receipts will only display the last four (4) digits of the credit card number.
- 2) All physical documents containing credit card data must be stored in a locked drawer or locked file cabinet.
- 3) Store only essential information. Do not store Card Validation Code, or the PIN number.
- 4) Maintain strict control over the internal and external distribution of credit card data. (e.g. - Data collected over phones via the Contact Center will be processed in Colleague



payment and the receipts will be securely delivered to the Campus Cashier for deposit and reconciliation.) Once processed in Colleague any additional credit card data other than the receipt should be shredded immediately.

- 5) Limit the storage amount and retention time to legal or regulatory purposes. The College recommends merchant receipts should be stored in a secure area on site for two (2) years and then shredded before disposal.

3. **Responsibilities of Information Services/Technology Department:**

In order to comply with PCI-DSS requirements the department shall employ and keep up-to-date on the following security tools:

- a. Firewall protection
- b. Antivirus software
- c. Vulnerability analyzer software
- d. Encryption software
- e. Host network intrusion detection and prevention systems
- f. File integrity systems
- g. Require unique robust passwords of every employee with multi-factor authentication

## **COMPLIANCE PROCESS**

1. **Confidentiality Statement** - All individuals involved in processing, storing, or transmitting credit card data are required to review and follow this policy and acknowledge a PCI confidentiality statement. This acknowledgment is contained within the PCI training in Gateway's Learning Management System.
2. **Self-Assessment Questionnaire (SAQ)** - The SAQ is a validation tool that must be completed by merchant account holders when an account is set up and annually thereafter to assess our compliance with PCI-DSS. The CFO or designee will be responsible for submitting the SAQ.
3. **Quarterly Network Security Scan**
  - a. **External Network Scan** - This is required by our merchant processor/bank. It is a non-intrusive test of all our network, hosts, and applications to find vulnerabilities and recommend improvements. It must be done by an Approved Scanning Vendor (ASV). This is coordinated by the CFO or designee when processing the SAQs with Trustwave (ASV).
  - b. **Internal Vulnerability Scans** - Are required to be performed at least quarterly by qualified internal resources or a third party. Results are to be regularly reviewed with procedures in place for addressing any vulnerabilities that are discovered. This process is to be coordinated by the chief information officer.
4. **Maintain Written Policy** - At a minimum the policy will be reviewed on an annual basis and revised as needed to address changes in the environment. The CFO or designee and the director of Express Services are responsible for maintaining the policy.
5. **Annual Training Program** - All personnel that process, transmit, or handle cardholder information in a physical or electronic format must receive annual training. The training will be based on the current PCI-DSS standards. Training will be provided by the CFO or designee.
6. **Third Party Vendor Contracts** - The contract with any on-campus third-party vendor that processes credit card transactions must include the following language (at a minimum).
  - a. [Vendor] must maintain compliance with the most current PCI-DSS standards at all times. It is the sole responsibility of [vendor] to ensure adherence to PCI-DSS compliance.
  - b. Upon request [vendor] will provide proof of PCI-DSS compliance to Gateway within 48 hours.
  - c. Gateway shall not, under any circumstances, act as or be considered a Service Provider for [vendor], as defined by PCI-DSS.



- d. In the event of a breach, intrusion, or unauthorized access to cardholder data stored at or for [vendor], they [vendor] shall notify Gateway's Cyber Incident Response Team (CIRT) using the email [cirt@gtc.edu](mailto:cirt@gtc.edu) or by contacting the Tech Central Helpdesk at 262-564-3695 immediately after becoming aware of the breach, intrusion, or unauthorized access.
- e. In the event of a breach or intrusion [vendor] acknowledges any/all costs related to breach or intrusion or unauthorized access to cardholder data entrusted to [vendor] deemed to be the fault of [vendor] shall be the liability of [vendor]. [Vendor] agrees to assume responsibility for informing all such individuals in accordance with applicable law and to indemnify and hold harmless Gateway and its officers and employees from and against any claims, damages or other harm related to such breach.

#### 7. Security Breach/Incident Response

If any employee becomes aware of suspected breach/theft of cardholder account information, they are to notify their supervisor immediately. The supervisor shall notify the Cyber Incident Response Team (CIRT) using the email [cirt@gtc.edu](mailto:cirt@gtc.edu) or by contacting the Tech Central Helpdesk at 262-564-3695. Breach response procedures are outlined in Gateway's Incident Management Response Plan located on the Learning Innovation Division (LID) Intranet site.

The Incident Management Response Plan contains procedures designed to respond to a variety of breach scenarios. For PCI related incidents, please also follow the steps below:

- a. Immediately contain and limit the exposure by conducting a thorough investigation of the suspected or confirmed compromise of information. Preserve any logs and electronic evidence.
- b. Require all applicable individuals to immediately change their password.
- c. Alert all necessary parties immediately including our merchant bank.
- d. Provide all compromised accounts to our merchant bank within ten (10) business days.
- e. Within three (3) business days of the reported compromise, provide an Incident Report document to our merchant bank.

#### 8. Sanctions

Failure to meet the PCI-DSS requirements will result in suspension of physical and electronic payment capabilities. In addition, fines may be imposed by the affected credit card company. Members are subject to fines, up to \$500,000 per incident, for any merchant or service provider that is compromised and not compliant at the time of the incident. Persons in violation of this policy are subject to loss of computer or network access privileges, disciplinary action, suspension, termination of employment and legal action. The College may be required to report such violations to the appropriate authorities.

Related Policies: H-190g Information Security Incident Management  
 Related Procedures: Information Security Incident Response Plan (LID Intranet)  
 Terminal users and Student Finance Procedures referenced in policy  
 H-192 Credit Card Processing and Security Policy



## H-195 IDENTITY THEFT PREVENTION PROGRAM

### POLICY

Gateway Technical College is committed to protecting the identify information of our customers covered accounts. The College is governed by Section 114 of the Federal Trade Commission's Fair and Accurate Credit Transactions Act which created the Red Flags Rule. This regulation requires the College to have an Identity Theft Prevention Program designed to detect, prevent, and mitigate Identity Theft in connection with opening a covered account or existing covered account and to provide administration of the program. The College's program will:

1. Identify relevant Red Flags for covered accounts it offers or maintains and incorporate those Red Flags into the program
2. Detect Red Flags that have been incorporated into the program
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate Identity Theft
4. Ensure the program is updated periodically to reflect changes in risks to students and to the safety and soundness of the creditor from Identity Theft

### PROCEDURE

#### 1. Definitions

The following definitions are included as part of this policy:

- a. Identity Theft - is fraud committed or attempted using the identifying information of another person without authority.
- b. Covered Account - is an account that a creditor offers or maintains, primarily for personal, family, or household purposes that involves multiple payments or transactions; and, any other account the College offers or maintains for which there is reasonably foreseeable risk to customers or to the safety and soundness of the College from Identity Theft.
- c. Red Flag - is a pattern, practice or specific activity that indicates the possible existence of identity theft.
- d. Identifying Information - is any name or number that may be used, alone or in conjunction with any other information, to identify a specific person including: name, address, telephone number, social security number, date of birth, driver license, identification number, alien registration number, government passport, employer or taxpayer identification number, student identification number, computer's Internet Protocol address, or routing code.

### COVERED ACCOUNTS

The College has identified the following types of accounts that fall under the definition of covered accounts:

1. Refund of credit balances involving PLUS loans
2. Refund of credit balances without PLUS loans
3. Tuition payment deferments
4. Emergency loans
5. Direct deposit information
6. 1098-T information
7. Wisconsin Tax Refund Intercept Program accounts
8. Delinquent Accounts sent to Collection agency
9. Contracted agreements including third-party arrangements
10. Foundation scholarships





## IDENTIFICATION OF RED FLAGS

The following risk factors will be used to identify relevant red flags for covered accounts:

1. The types of covered accounts as identified above
2. The methods provided to open covered accounts, which includes gathering the following information:
  - a. Admissions/registration forms with personally identifying information (paper or electronic)
  - b. FAFSA application for financial aid assistance
  - c. High school transcript, GED, HSED
  - d. Official test scores, such as ACT, SAT, COMPASS, ACCUPLACER, TABE
  - e. Letters of recommendation
  - f. Entrance medical record
  - g. Medical history
  - h. Immunization history
  - i. Insurance card
  - j. Criminal background check information
  - k. Driver's license
  - l. Military Service Records
  - m. Residency documents
  - n. Financial Status documentation
  - o. Post-secondary transcripts
  - p. Government issued ID (e.g.-State, VISA)
3. The methods used to access covered accounts, which include gathering the following information:
  - a. Disbursement obtained in person require picture identification
  - b. Disbursements obtained by mail can only be mailed to an address on file
  - c. Disbursements obtained through third-party will be transmitted securely
  - d. The College's previous history of identity theft

The following Red Flags will be considered:

1. Notifications and Warnings from Credit Reporting Agencies
  - a. Report of fraud accompanying a credit report
  - b. Notice of report from a credit agency of a credit freeze on an applicant
  - c. Notice or report from a credit agency of an active duty alert for an applicant
  - d. Receipt of a notice of address discrepancy in response to a credit report request
  - e. Indication from a credit report of activity that is inconsistent with an applicant's usual pattern or activity
2. Suspicious Documents
  - a. Identification document or card that appears to be forged, altered or inauthentic
  - b. The photograph or physical description on the identification is not consistent with the appearance of the student presenting the identification
  - c. A request for service that appears to have been altered or forged
  - d. A request made from a non-college issued e-mail account
  - e. A request to mail something to an address not listed on the file
3. Suspicious Identifying Information
  - a. Identifying information presented that is inconsistent with other information the student provides (example: inconsistent birth dates)
  - b. Identifying information presented that is inconsistent with other sources of information (example: address mismatch on personal documents)



- c. Identifying information presented that is the same information shown on other applications that were found to be fraudulent
  - d. Identifying information presented that is consistent with fraudulent activity (example: invalid phone number or fictitious billing address)
  - e. Social security number presented that is the same as one given by another person
  - f. A person fails to provide complete personal identifying information on a deferred payment plan when reminded to do so
  - g. A person's identifying information is not consistent with the information that is on file for the student
4. Suspicious Account Activity
- a. Account used in a way that is not consistent with prior use
  - b. Mail sent to the student is repeatedly returned as undeliverable
  - c. Notice to the College that a student is not receiving mail sent by the College
  - d. Notice to the College that an account has unauthorized activity
  - e. Breach in the College's computer security system
  - f. Unauthorized access to or use of student account information
5. Alerts from Others
- Notice to the College from a student, Identity Theft victim, law enforcement or other person that the College has opened or is maintaining a fraudulent account for a person engaged in Identity Theft

## **DETECTION OF RED FLAGS**

1. Student Enrollment
- In order to detect any of the Red Flags identified above associated with the enrollment of a student, College personnel will take the following steps to obtain and verify the identity of the person opening the account:
- a. Require certain identifying information such as Student ID, first and last name, last four digits of SSN, date of birth, home address, phone number, program, and set up of a security question and answer, and
  - b. Verify the student's identity at time of issuance of student identification card (review government-issued photo identification or other personally identifiable information)
2. Existing Accounts
- In order to detect any of the Red Flags identified above for an existing covered account, College personnel will take the following steps to monitor transactions on an account:
- a. Verify the identification of students if they request information (in person, via telephone, via facsimile, via email, require identifying information as listed above and verify security question and answer);
  - b. Verify the validity of requests to change billing addresses by mail or email and provide the student a reasonable means of promptly reporting incorrect billing address changes; and
  - c. Verify changes in banking information given for billing and payment purposes.
3. Credit Report Requests
- In order to detect any of the Red Flags identified above for an employment or volunteer position for which a credit or background report is sought, College personnel will take the following steps to assist in identifying address discrepancies:
- a. Require written verification from any applicant that the address provided by the applicant is accurate at the time the request for the credit report is made to the consumer reporting agency; and





- b. In the event that notice of an address discrepancy is received, verify that the credit report pertains to the applicant for whom the requested report was made and report to the consumer reporting agency an address for the applicant that the College has reasonably confirmed is accurate.

## PREVENTING AND MITIGATING IDENTITY THEFT

When a red flag is triggered, personnel shall take one or more of the following steps, depending on the degree of risk posed by the Red Flag:

1. Prevent and Mitigate
  - a. Continue to monitor a covered account for evidence of Identity Theft
  - b. Contact the student or applicant
  - c. Change any passwords or other security devices that permit access to covered accounts
  - d. Not open a new covered account
  - e. Notify the Program Administrator for determination of the appropriate step(s) to take
  - f. Notify law enforcement
  - g. Determine that no response is warranted under the particular circumstances
  - h. Provide ability to provide FERPA block on directory information
2. Protect Student Identifying Information

In order to further prevent the likelihood of Identity Theft occurring with respect to covered accounts, the College will take the following steps with respect to its internal operating procedures to protect student identifying information:

  - a. Ensure that its website is secure or provide clear notice that the website is not secure
  - b. Ensure complete and secure destruction of paper documents and computer files containing student account information when a decision has been made to no longer maintain such information
  - c. Ensure that office computers with access to covered account information are password protected
  - d. Avoid use of social security numbers
  - e. Ensure computer virus protection is up to date
  - f. Require and keep only the kinds of student information that are necessary for College purposes
  - g. Automatic lock-out for computers

## PROGRAM ADMINISTRATION

1. Oversight

The director of Student Finance will serve as the Program Administrator and is responsible for developing, implementing and updating this program. The Program Administrator will be responsible for ensuring appropriate training of College staff on the program, for reviewing any staff reports regarding the detection of Red Flags and the steps for preventing and mitigating Identity Theft, determining which steps of prevention and mitigation should be taken in particular circumstances and considering periodic changes to the program.



## 2. Staff Training and Reports

- a. College staff responsible for implementing the Program shall be trained in the detection of Red Flags and the responsive steps to be taken when a Red Flag is detected. College staff shall be trained, as necessary, to effectively implement the program. College employees are expected to notify the Program Administrator once they become aware of an incident of Identity Theft or of the College's failure to comply with this program. At least annually, College staff responsible for development, implementation, and administration of the program shall report to the Program
- b. Administrator on compliance with this program. The report should address such issues as effectiveness of the policies and procedures in addressing the risk of identity theft in connection with the opening and maintenance of covered accounts, service provider agreements, significant incidents involving identity theft and management's response, and recommendations for changes to the program.

## 3. Service Provider Arrangements

In the event the College engages a service provider to perform an activity in connection with one or more covered accounts, the College will take the following steps to ensure the service provider performs its activity in accordance with reasonable policies and procedures designed to detect, prevent and mitigate the risk of Identity Theft.

- a. Require, by contract, that service providers have such policies and procedures in place; and
- b. Require, by contract, that service providers review the College's program and report any Red Flags to the Program Administrator

## 4. Specific Program Elements and Confidentiality

For the effectiveness of this Identity Theft Prevention Program, knowledge about specific Red Flag identification, detection, mitigation and prevention practices may need to be limited to the committee who developed this program and to those employees with a need to know them. Any documents that may have been produced or are produced in order to develop or implement this program that list or describe such specific practices and the information those documents contains are considered "confidential" and should not be shared with other College employees or the public. The Program Administrator shall inform the employees with a need to know the information of those documents or specific practices which should be maintained in a confidential manner.

## 5. Program Updates

The Program Administrator will periodically review and update this program to reflect changes in risks to students and the soundness of the College from Identity Theft. In doing so, the Program Administrator will consider the College's experiences with Identity Theft situations, changes in Identity Theft methods, changes in Identity Theft detection and prevention methods, and changes in the College's business arrangements with other entities. After considering these factors, the Program Administrator will determine whether changes to the program, including the list of Red Flags, are warranted. If warranted, the Program Administrator will update the program.

## 6. Disclaimer

While reasonable efforts will be made to detect, prevent and mitigate Identify Theft, the College makes no representations or warranties that the Program described above will in fact ensure the absence of Identify Theft or prevent financial losses. All warranties against loss, both express or implied, are hereby disclaimed. Furthermore, the College will not be liable for any damages, whether direct, indirect, or consequential.



## H-199 Printing, Faxing, and Photocopying Policy

### Purpose:

The purpose of this policy is to establish guidelines and procedures for the use of printing and photocopying services within Gateway Technical College. Gateway provides standardized printing/copying devices for employee work use. Students are provided a “Pay-for-Print” option for on-campus printing/copying. This policy aims to promote efficient use of resources; reduce waste; standardize print/copy devices, practices, and procedures; and ensure fair access to these services for all members of the college community.

### Scope:

This policy applies to all Gateway students, staff, faculty, and guests using college print/copy services. Current costs for student printing can be obtained by visiting the college’s Green Print web page. The college reserves the right to adjust fees as necessary to ensure efficient use of resources.

### Definitions:

**MFD:** Multi Function Device describing a printer that can copy, scan, and/or fax.

**Secure Release:** The practice of sending print jobs to a printer and releasing the job ONLY when the staff member who sent the job is standing at the physical location of the printer. This is done to maintain security/confidentiality.

### Policy Statements:

1. Use or procurement of non-authorized printing/copying devices is expressly prohibited. Relocation of existing devices and procurement of additional authorized devices must be approved by the appropriate department supervisor and divisional vice president.
2. Fax devices that serve an entire department or work area/group remain authorized under this policy. Gateway personnel are encouraged to scan and email documents in lieu of faxing where possible.
3. Printing supplies for deployed MFDs and Tech-Central-supported printers should be ordered through IT purchasing (paper should be ordered through Marketing).
4. All documents printed/copied by faculty and staff will be charged back to their respective departments, programs, or project as required to track actual expenses.
5. Employees/students will leverage Secure Release features where possible. Secure Release print jobs are held for a limited period of time to allow users to release their jobs at the device.
6. Whenever possible, the default print/copy setting on Gateway print/copy devices will be set to black-and white “duplex printing” (double-sided).
7. Automatic data deletion will be configured on all Gateway Multi-Function Devices (MFD’s) to ensure periodic removal of sensitive data.
8. Data on MFD’s will be encrypted to ensure data confidentiality and compliance.
9. Hard drives of MFD’s will be sanitized or destroyed at the conclusion of lease periods in coordination with the printing vendor(s).
10. Gateway employees will utilize the College’s Print Shop for print/copy jobs that meet Print Shop requirements.
11. Personal (non work-related) printing by employees must be completed using personal funds—not departmental funds.

**Review:**

This policy will be reviewed annually and updated as necessary to ensure compliance with college objectives and applicable laws and regulations.



## H-200 GATEWAY PHOTO ID CARDS

### POLICY

The Gateway photo ID Card is the property of Gateway Technical College, serving as the official form of college identification. The following applies:

1. All students and staff are required to have a photo ID.  
It must be carried at all times and presented to Gateway staff and/or security personnel upon request.
2. Gateway staff are required to wear their Gateway photo ID, Gateway name badge, or Gateway supplied uniforms; i.e. embroidered Gateway shirt with name, at all times while on campus or otherwise conducting college business.

**NOTE: The Gateway photo ID card is the 'official' ID. Staff are expected to have their ID card on them even if they are wearing a name badge or Gateway issued uniform.**

3. Failure to present a valid Gateway photo ID may result in a request to leave the premises.
4. The Gateway photo ID is non-transferable.
5. The Gateway photo ID may be confiscated and/or disciplinary action taken if presented by someone else for use or altered in any way.
6. All permanent part-time and adjunct staff are required to have a Gateway photo ID.
7. All students in courses more than four (4) weeks in length must have a Gateway photo ID.
8. Students in courses off-campus are not required to have a Gateway photo ID.

### PROCEDURE

1. Students and staff must have their picture taken and receive their photo ID card in Student Services on the Elkhorn, Kenosha or Racine campuses.
2. New employees must have a photo ID produced within ten (10) days of employment.
3. There is no charge for the initial card. Replacement cards are \$5 for students.
4. Lost or stolen cards must be reported in person to Student Services or by phone a 1-800-247-7122.



## H-210 Affinity Network Group Policy

### Purpose

Gateway Technical College's Affinity Networks (ANs) aim to foster an inclusive and supportive workplace environment. Employee participation in Affinity Networks is encouraged to provide opportunities for individuals to become more involved in campus life and to foster a culture of respect, inclusion, and belonging. This purpose reflects the intentions of the College's Strategic Plan to promote a vibrant, diverse, inclusive community for all.

Inclusive Excellence (Office of Diversity, Equity, and Inclusion) in collaboration with Employee Engagement (Talent and Culture) created Affinity Networks to coordinate and assist individuals in making connections across campus to build supportive environments, grow interests, hatch ideas, and spotlight achievements and accomplishments to improve the College's campus climate and culture.

### Scope and Definitions

Definitions for the purpose of this policy:

**Affinity Networks** are voluntary, employee-led and -facilitated networks formed around shared identities, interests, backgrounds, and the common goals of building community and fostering inclusion and awareness in the broader campus community.

**Eligible Employees** include staff, faculty, adjuncts and casuals employed by Gateway Technical College.

**Influencer(s)** are individual leads and oversee the function of the group. The role helps ensure that the Group Charter is supported and outcomes are successful and work directly with the ODEI advisor.

**Trendsetter(s)** are individual(s) that assist and/or act in the absence of the Influencer to oversee the function of the group.

**ODEI Advisor** is the Director of Inclusive Excellence in the ODEI who provides guidance and acts as the liaison to the Vice President, DEI.

Affinity Networks do not exclude on the basis of sex, age, race, ethnicity, nationality, disability, mental illness or ability, sexual orientation, gender, gender identity/expression, sex characteristics, religious creed, or individual political opinions.

All employees may use these safe spaces to support, understand, share resources, and to connect with diverse members across the college.

Each Affinity Network determines its own mission and goals. In order to have an established Affinity Network an application does have to be completed, reviewed, and approved. Application can be found on the intranet of the Office of Diversity, Equity, and Inclusion.



## **Affinity Network Leadership Team Expectations:**

Each Affinity Network should have a defined Leadership Team, which will:

- Lead and oversee the functioning of the network. Leaders help ensure that the established guidelines for the Affinity Networks are operational and outcomes are successful and aligned to their established mission.
- Act as the main contact between the ODEI Advisor and the affinity network members.

## **Affinity Network Operating Guidelines:**

1. Members must be employed by Gateway Technical College.
2. Membership and participation in Affinity Networks shall be entirely voluntary.
3. Gateway Technical College administrators, anyone in a supervisory capacity, or members of the group may NOT coerce an employee into joining or participating.
4. Membership and participation in Affinity Networks must be open to any and all interested employees.
5. Affinity Networks are not intended to and shall not duplicate or replace the activities of the recognized bargaining units at the college.
6. Employees may join as many Affinity Networks as they wish.
7. Activities should not compromise functional duties. Striking a balance between personal and work responsibilities is essential.
8. Adhere to the Gateway Technical Colleges' policies and procedures (see policies: H-185 Social Media, I-110 Employee Code of Conduct, H-101 Visitor Code of Conduct, H-171 Free Speech and Peaceful Assembly, H-110 Equal Opportunity, Civil Rights, and Sexual Harassment)

## **Funding:**

Gateway Technical College will not provide funding to Affinity Networks.

## **Dissolving Affinity Networks:**

An Affinity Network may be dissolved when:

1. The group chooses to dissolve itself. Such dissolution should be reported to the Director, Inclusive Excellence.
2. The Director, Inclusive Excellence and/or Director, Employee Engagement concludes that the network no longer has clear relevance, has become insufficiently accountable for its activities, or presents a legal or ethical liability to Gateway Technical College.

## **Policies in Connection:**

H-185 Social Media

I-110 Employee Code of Conduct

H-101 Visitor Code of Conduct

H-171 Free Speech and Peaceful Assembly

H-110 Equal Opportunity, Civil Rights, and Sexual Harassment

Policy Owner: Jomarie Coloriano, Director of Inclusive Excellence



## I-110 EMPLOYEE CODE OF CONDUCT

### POLICY

1. In order for Gateway employees to maintain a professional working environment, it is imperative that certain Code of Conduct be observed. It is the policy of the College to implement and monitor a "Code of Conduct" with regard to employee relationships.
2. The following are examples of infractions or rules of conduct that may result in disciplinary action, including suspension or separation of employment. The following list of rules is not intended to be definite or conclusive. Gateway Technical College reserves the right to add or modify the existing rules.
3. **THE FOLLOWING RULES ARE EXAMPLES OF THE TYPE OF CONDUCT THAT WILL NOT BE TOLERATED UNDER ANY CIRCUMSTANCES AND WILL RESULT IN IMMEDIATE SUSPENSION PENDING INVESTIGATION (LEADING TO SEPARATION) FOR ANY EMPLOYEE OR IMMEDIATE SEPARATION IF INVESTIGATION IS NOT APPLICABLE.**
  - a. Willful misconduct.
  - b. Insubordination – refusing to carry out a direct, legitimate and responsible order of a supervisor. Orders must be carried out as instructed. Any disagreement must be discussed later and in private, out of hearing of other employees or in accordance to the employee's respective bargaining agreement terms.
  - c. Harassing any employee or making comments regarding another employee's race, religious beliefs, ethnic background, national origin, sex, disability, or any other classification protected by federal or state law.
  - d. Fighting in any form on college premises, coercion, intimidation, or threats of any kind against students, supervisors, or other employees.
  - e. Possessing/distributing/using/selling drugs or unauthorized alcoholic beverages during working hours or while off the College premises in the performance of job duties.
  - f. Possessing dangerous or deadly weapons on college premises or while off the college premises in the performance of job duties.
  - g. Stealing (unauthorized storage, transfer, or use) of student, employee, or college property including items found on the College's premises. All articles found on college premises must be turned in by the finder to their supervisor.
  - h. Failure to notify your supervisor of your arrest, involvement, or the issuance of a complaint or other legal process in connection with a violation of federal or state law.
  - i. Soliciting, procuring or engaging in any unlawful acts on any college premises.
  - j. Destroying or removing from the premises of any Gateway property, the property of students or other employees without written management permission.
  - k. Sleeping on the job.
  - l. Removal of, or sharing with unauthorized college or non-college personnel, confidential information.
  - m. Personal use of District property or resources to promote political activities.
4. **THE FOLLOWING RULES ARE EXAMPLES OF THE TYPE OF MISCONDUCT THAT IS CONSIDERED UNACCEPTABLE AND MAY LEAD TO DISCIPLINARY ACTION UP TO AND INCLUDING SEPARATION:**
  - a. Habitual or excessive absenteeism or tardiness from work.
  - b. Failing to give a high degree of service or courtesy to any student or fellow employee.
  - c. Using vulgar or profane language toward a student, supervisor or fellow employee while on premises.
  - d. Reporting to work under the influence of alcohol or a controlled substance.
  - e. Failing to sign in or out in your department, if required.





- f. Failing to keep your supervisor informed or your expected date or return to work after being sick unless you have previously informed him/her of the date of your return.
- g. Discourteous, inconsiderate or rude behavior by an employee toward Gateway students, supervisors or other employees.
- h. Off-duty conduct that adversely affects the College, a student, or another employee.
- i. Violation of on-the-job rules, including the rules, regulations and procedures of your department.
- j. Failing to provide Talent & Culture or a supervisor with a doctor's note of ability to return to work after an illness of three (3) or more days.
- k. Failure to comply with designated Gateway appearance standards.
- l. Calling in sick when not sick or otherwise misrepresenting information regarding absence from work.
- m. Failure to report to work on your scheduled shift without notifying your supervisor or his/her designee within the designated time as required by your department procedures, or without an authorized reason.
- n. Habitual tardiness in reporting to work and in returning from an established break schedule.
- o. Making false, fraudulent or malicious statements to or about another employee, a student, or any of its facilities.
- p. Knowingly or negligently making false or misleading statements or material omission on any personnel or other college records.
- q. Engaging in dangerous or potentially dangerous behavior.
- r. Failing to comply with the Tobacco-Free Work Environment.
- s. Failure to follow and observe all safety, fire prevention, and health rules and practices.
- t. Creating or contributing to unsanitary, hazardous, or poor housekeeping conditions.
- u. Disregarding the no solicitation/no distribution policy.
- v. Using college equipment (copy machine, fax machine, computer, etc.) without authorization.
- w. Job performance that does not meet established Gateway standards.
- x. Participating in any conduct on or off duty, that tends to bring discredit to, or reflects adversely on, yourself, fellow employees, the College, or its students or that adversely affects job performance or your ability to report to work as scheduled.
- y. Any conduct which results in damage, loss or other harm to the property of a student, employee or Gateway Technical College.
- z. Violation of the Drug-Free Workplace Policy.

## CONFLICT OF INTEREST

The observance of high moral and ethical standards by its employees is essential to the conduct of the District. The employee holds her/his position as a public trust, and any effort to realize personal gain through official conduct is a violation of that trust.

1. The ethical standards set forth in this policy for employees in the performance of their official duties are intended to discourage conflicts of interest, improve standards of public service and promote and strengthen the faith and confidence of the people of this District in their employees.
2. Nothing in this policy shall deny the rights of an employee under the constitutions of the United States of America and of this state, the Wisconsin Statutes or any other laws of this state, or under any labor agreement as long as such labor agreement is not in conflict with state or federal laws.



3. It is recognized that:
  - a. Employees retain their rights as citizens to interests of a personal or economic nature.
  - b. An employee may engage in activities outside of his/her official employment duties and responsibilities with the District. However, such outside activities shall not conflict with an employee's official duties and responsibilities with the District.
4. The Gateway District Board shall determine after consultation with the president or designee those individuals who are designated to file an initial statement of economic interest with the State Ethics Board within twenty-one (21) days of assuming office and annually thereafter during the first four (4) months of the year in order to comply with the State of Wisconsin Code of Ethics for Public Officials.

## AREAS OF POTENTIAL CONFLICT

### *Outside Employment*

1. Employees of Gateway shall not hold other employment that negatively impacts satisfactory attendance and accomplishment of assigned duties or the image or mission of the college.
2. The District Board must, by necessity, specifically prohibit those activities that will cause a conflict of interest to the employee or to the District. Therefore, no employee shall:
  - a. Use the District's time, facilities, equipment or supplies, or use the prestige or influence of the District's position for her/his private gain or advantage.
  - b. Accept for her/his private gain or advantage money or anything of value from a business for the performance of an act required as part of her/his official duties.
  - c. Accept employment with a business which is subject to direct or indirect control, review, audit or enforcement by the District unless approved by the District Board.

## ACCEPTANCE OF GIFTS OR FAVORS

1. No person shall offer or give to an employee or his immediate family, and no employee or his immediate family shall solicit or receive anything of value from any person pursuant to an understanding that such employee's official actions or manner judgment would be influenced thereby, or appear to influence the manner in which they perform their work, make their decisions or otherwise perform their duties.
2. No employee who is assigned or acts as an official representative of the District in the presentation of papers, instruction, talks, demonstrations or making appearances shall solicit or accept fees, honoraria or reimbursement of expenses for personal gain. Any fees, honoraria or reimbursement of expenses which may be offered in connection therewith shall be paid to the District providing the District is reimbursing the individual for her/his expenses. The prohibition of accepting honorariums and fees, such as for accreditation visits, does not apply when the individual involved is, by virtue of vacation or other reason, performing the service on his or her own time.
3. Fees and honoraria paid for papers, instruction, talks, demonstrations or appearances made by employees on their own time and not directly part of their official duties, shall not be a violation of this rule. Employees shall notify the District Board prior to accepting fees and honoraria for papers, instruction, talks, demonstrations or appearances if it appears that a conflict of interest exists.

**USE OF CONFIDENTIAL INFORMATION**

No employees shall use confidential information gained in the course of or by reason of their public position or official activities other than in the discharge of their official duties.

**USE OF DISTRICT PROPERTY**

No District employee shall use, or allow the use of District property, including property leased by this District, for her/his private gain, except as provided by laws, or for any use other than that which serves the public interest.

**USE OF DISTRICT POSITION**

1. Employees shall not use their position to obtain financial gain for themselves or their immediate family, or for any business with which they have a significant fiduciary relationship. Any salary or other compensation received by employees from this District for their services does not constitute "financial gain" as the term is used in this rule.
2. Employees shall not use their public position or influence to gain benefits, advantages or privileges for themselves, for the members of their immediate family, or for any other person.
3. An employee who has a financial relationship in a business that is interested in contracting with Gateway where funds are paid in whole or in part shall notify the president or designee in writing relative to this potential conflict of interest. The awarding of this contract shall be through public notice, competitive bidding or any process as provided for by law.
4. No employee and no business in which an employee owns or controls, directly or indirectly, at least 10% interest shall enter into a lease of real property with the Gateway District, except that the Gateway District Board, upon request shall waive this rule where it is in the best interests of the Gateway District.

**ACTION TO AVOID POSSIBLE CONFLICT**

If, in the discharge of her/his official duties, an employee is requested to take an action that is prohibited by this policy such employee shall:

1. Not take such action.
2. Prepare a written statement describing the matter requiring action or decision, and the nature of the possible conflict of interest with respect to such action or decision and deliver copies of such statement to her/his immediate supervisor. If the employee cannot reach his/her immediate supervisor, she/he shall seek advice from the president or designee to remove herself/himself from influence over actions and decisions on the matter in which the possible conflict exists.





## I-120 RECRUITMENT AND EMPLOYMENT

### POLICY

The District is committed to maintaining a highly qualified workforce which reflects the diversity of our District labor force. Gateway Technical College aggressively recruits and hires qualified individuals for each official vacancy. To ensure and maintain equal employment opportunities and uniform procedures for recruiting to meet the needs of the college, the following outlines our procedures regarding recruitment and offers of employment, and the conditions under which an offer is made.

### PROCEDURE

#### 1. Notification of Vacancy

- a. The supervisor will notify the Talent Acquisition Manager regarding the position that they want filled by completing the Requisition Form.
- b. The requisition must indicate the general ledger account where the salary cost will be charged. The general ledger account must have adequate budget available for the fiscal year.
- c. Executive Leadership Counsel's approval is required for the requisition and/or change in employment in instances where budget is not identified or available.
- d. The requisition is then circulated as follows:
  - 1) Supervisor (non-faculty) or Executive Vice President/Provost (faculty)
  - 2) Grants Manager (if applicable)
  - 3) Budget Manager
  - 4) Talent Acquisition Manager

#### 2. Job Posting & Recruitment Methods

- a. Recruiting efforts, screening and selection procedures are initiated through the Talent and Culture department.
- b. All jobs will be posted internally and/or externally in compliance with standard Talent and Culture recruitment practices and/or directives by the vice president Talent and Culture.
- c. A vacancy may be filled without a job posting for:
  - 1) a limited term vacancy
  - 2) realignment of headcount
  - 3) operational need
- d. Gateway Technical College will recruit applicants through various community organizations and agencies. When appropriate, we advertise in media targeting diverse audiences.

#### 3. Applicants

- a. Gateway Technical College does not accept unsolicited applications.
- b. Applicants must provide a complete application including required documents.
- c. Credentials of applicants are then screened against the requirements of the posting to determine suitability for the position. This process is conducted by but not limited to the Talent Acquisition Manager and Supervisor of the role.
- d. The college uses a structured interview process focusing on past job performance to predict future job behavior. As part of the process, the supervisor will determine the appropriate attributes for the position and select from a list of questions pertaining to those attributes. Talent and Culture will prepare the interview questionnaire.



- e. An Interview Committee comprised of the supervisor, Talent and Culture representative and others named by the supervisor will then interview applicants for final selection.
- f. Second interviews, if necessary, will be scheduled by Talent and Culture.
- g. When making a final selection among equally qualified candidates, consideration will be given to the District affirmative action goals.
- h. When interviews are complete, the committee chairperson will complete the "Salary/Appointment Decision Record" form provided by Talent and Culture.

#### 4. **Background & Reference Checks**

- a. A complete background check will be conducted by Talent and Culture management on all successful regular full-time and part-time personnel.
- b. Successful candidate's will complete an online release form via the third party agency who will conduct an employment verification, SSN verification, criminal background investigation, and reference checks. All criminal background checks will be reviewed by Talent and Culture' management to determine if the applicant's arrest or conviction record is 'substantially related' to the position. Background check records are maintained in confidential Talent and Culture files.
- c. The vice president Talent and Culture or designee will authorize a written conditional job offer. Talent and Culture will make all conditional and final job offers.

#### 5. **Conditional Job Offers**

Talent and Culture will prepare the written conditional job offer and either advise the applicant, by telephone, in person, or by email, of the conditional job offer pending the receipt of appropriate I-9 documentation.

#### 6. **Mileage and Travel Reimbursement for Interview Candidates**

- a. Gateway Technical College **MAY** reimburse interview candidates who are brought to the College for formal interviews. When deemed appropriate, reimbursement will be made as follows:
  - 1) Administrative position candidates at grades 31 and below will be reimbursed for actual expenses and mileage up to \$350 if they have traveled a minimum of 100 miles to the campus.
  - 2) Administrative position candidates at grades 32-33 will be reimbursed for actual expenses and mileage up to \$850 if they have traveled a minimum of 100 miles to the campus.
  - 3) Officer candidates (Grade 34 & above Executive) are reimbursed for actual expenses.
  - 4) Instructor candidates are reimbursed for actual expenses and mileage up to \$850 if they have traveled a minimum of 100 miles to the campus.
- b. In all cases, the division vice president will be responsible for incurring the cost of reimbursing candidates brought in for interview.
- c. It is always recommended that a phone interview or video conference precede the formal interview when a candidate lives outside the Gateway Technical College District.
- d. Any use of this policy requires prior approval of the president or his/her designee.



## I-130 POSITION DESCRIPTIONS

### **POLICY**

The College will establish and maintain position descriptions to provide a framework of essential functions, reporting relationships, working conditions, physical requirements, exemption status and supervisory responsibilities. Position descriptions will be developed to comply with the ADA by including the use of ADA compliant language.

### **PROCEDURE**

1. Position descriptions are maintained in the HRIS System, NeoEd.
2. Position descriptions are used for recruitment, orientation, and training for all new employees.
3. In addition, position descriptions will be used to evaluate employee performance and make ADA accommodations.

Adopted: November 30, 2015 (Responsible: HR Department)

Supersedes: January 2001

Reaffirmed &/or Updated: March 17, 2009; May 15, 2019 (added accessibility language)



## I-140 EMPLOYMENT CATEGORIES

### **POLICY**

To define various employment classifications for the purpose of compensation, benefits and administration.

### **POSITION CLASSIFICATION**

Position classification is determined by the scope of the position and the job description. The classifications at Gateway are:

- Administration
- Administrative Support
- Executive
- Faculty
- Professional/Non-Faculty
- Professional/Technical

### **JOB CLASSIFICATIONS OF THE FAIR LABOR STANDARDS ACT (FLSA)**

All employees are designated as either non-exempt or exempt under state and federal wage and hour laws:

**Nonexempt employees** are employees whose work is covered by the Fair Labor Standards Act (FLSA). They are not exempt from the law's requirements concerning minimum wage and overtime. Nonexempt employees are required to be paid overtime at the rate of one and one-half their regular rate of pay for all hours worked beyond forty (40) hours in a workweek.

**Exempt employees** are exempt from the minimum wage and overtime provisions of the FLSA. Exempt employees hold jobs that meet the standards and criteria established under the FLSA by the U.S. Department of Labor. Exempt employees are not required to be paid overtime for work performed beyond forty (40) hours in a workweek.

### **EMPLOYMENT CLASSIFICATION**

**Full-time employee** works no less than a 40 hour workweek (2080 hours annually) or a 163 day instructional calendar (1304 hours annually) in a fiscal year.

**Part-time employee (<40 hours/wk)** works less than a 40 hour workweek or average less than 40 hours/week in a fiscal year.

**Adjunct faculty** are assigned to an instructional assignment who work less than 13 instructional assignment hours per week for a defined period of time.

**Limited term employee** has a full-time or part-time status for a defined period of time and a date of separation from the college.

**Casual** employee is a student worker or temporary worker for a defined period of time.

Adopted: January 2001 (Responsible: HR Department)





# I-140 Employment Categories

Gateway Technical College  
All Employees  
Created: January 17, 2025

Reaffirmed &/or Updated: August 27, 2020 (Updated to reflect Employee Handbook language); September 10, 2009







## I-150 EMPLOYEE FILE

### **POLICY**

An employee is permitted to inspect and review his/her official employee personnel file. The employee personnel file contains but is not limited to the following:

1. Personnel Information Sheet(s) (PIS)
2. Application Form
3. Credentials (where applicable)
4. Contract (where applicable)
5. Evaluations (Prior to NeoEd as others are electronic)
6. Correspondence Related to Employee

### **PROCEDURE**

1. An employee's request to review records must be made in writing and presented to the Talent and Culture department. The Talent and Culture department will provide an opportunity for such a review within seven (7) working days after receipt of request.
2. Employees may dispute any information in the documents and, if unable to reach agreement with employer to correct or remove that material, may submit a counter statement that must remain attached to the disputed portion of the record as long as it is part of the file. Employees and employee representatives may copy or receive a copy of an employee's personnel record for a fee consistent with *F-100a, Resolution Regarding Procedures for Release of Public Records and Property*.

\*This policy supersedes all prior policies regarding I-150 and review of personnel records.





## I-160 INITIAL EVALUATION PERIOD

### POLICY

Gateway Technical College expects its departmental leaders to foster work environments where regular, open discussions occur between employees and supervisors. These discussions are essential for clarifying expectations, setting goals, reviewing performance, assessing progress, and identifying opportunities for training and career development.

All new or transferred employees will undergo an initial evaluation period. This period allows employees to demonstrate their ability to meet performance standards, while providing the college an opportunity to assess the employee's skills and overall job performance. During this time, the college reserves the right to terminate employment for unsatisfactory performance, with no recourse to the Complaint Resolution Policy.

Additionally, during the initial evaluation period, employees are not permitted to apply for other positions within the college without written approval from their immediate supervisor.

### PROCEDURE

#### 1. New and Transferred Employees

- a. When new and transferred employees begin employment, they should be clearly advised that they will be serving a 180 day initial evaluation period in their new position. It is the supervisor's responsibility to meet with the new and transferred employees during the initial evaluation period to provide counseling, guidance, and training. Prior to the completion of the initial evaluation period, it is the supervisor's responsibility to evaluate the employee's knowledge and ability to perform his/her job and to determine whether continued employment would be beneficial to both the employee and Gateway Technical College.
- b. The 180 day non-faculty initial evaluations are conducted in Neogov Perform and is part of an employee's personnel record.
- c. The initial evaluation period may be extended if the supervisor believes a longer period of evaluation is necessary. Prior to the conclusion of an employee's initial evaluation period, the Director, Employee Engagement will be notified of the initial evaluation period extension and approve the extension prior to the supervisor's discussion with the employee. The extension length and specific performance factors must be documented on the Initial Evaluation Extension Form and discussed with the employee.

2. **Faculty:** Will be evaluated during their first year of employment. If the college determines that the designated evaluation period does not allow sufficient time to thoroughly evaluate the employee's performance, the evaluation period may be extended for a specific period with approval of the Director, Employee Engagement.



## I-190 PROMOTION & TRANSFER OPPORTUNITIES

### POLICY

The college believes in promoting employees from within and has established a job posting process to give employees an opportunity to apply for postings in which they are interested and qualified. During the initial evaluation period, employees are restricted from applying for other Gateway employment without written authorization from their immediate supervisor.

### PROCEDURE

#### Voluntary Transfers

1. **Lateral Transfer:** a transfer to a job within the same pay range or equivalent will result in the employee retaining the same pay rate and increase schedule.
2. **Higher Rated Position:** an employee going to a higher rated position or a higher pay range will receive a promotional increase. If their current salary is below the minimum of the new job, they will first be brought to the minimum before receiving the promotional increase.
3. **Lower Rated Position:** an employee going to a lower rated position through a voluntary transfer will be paid no more than the maximum of the new rate range.

#### Involuntary Transfers

1. **Lateral and Higher Rated Position:** will be treated the same as voluntary.
2. **Lower Rated Position:** an employee who is involuntarily transferred to a lower rated position and their current annual base salary is above the maximum of the new job, will have their pay frozen at their current rate until their salary is within the new range (red-circled). No pay increases will be granted. If the range does not catch up for three (3) years of salary adjustments, their salary will be lowered to the maximum of the new range. In the event of a major re-structure, the president may extend the red circle for an additional two (2) years.

#### Postings

Jobs will be posted internally and/or externally in compliance with standard Human Resources recruitment practices and/or directives by the vice president Human Resources. Employees are responsible for monitoring job vacancy notices and for completing and submitting an online application form during the posting period for a specific opening. At times, a vacancy may be filled without a job posting per policy I-120 Recruitment and Employment in the Administrative Procedures and College Practices Manual.

Adopted: January 2001 (Responsible: HR Department)

Reaffirmed &/or Updated: November 30, 2015 (clarification of language w/Handbook); March 17, 2009



## I-210 PROGRESSIVE DISCIPLINE

### POLICY

It is the intent of the College to conduct our day-to-day relations with employees in a fair and consistent manner. A goal of any disciplinary action, excluding separation, will be to establish a mutual understanding between the College and employees with an agreement from the employees that future rule violations will not occur and exactly what future performance will and will not be acceptable. Employees who violate established rules and regulations, fail to perform their jobs according to the accepted standards, or who otherwise conduct themselves in a manner which is detrimental to the College, the College's students, clients, or to other employees, invite disciplinary action up to and including separation of employment. Depending on the situation, any step may be repeated, omitted, or taken out of sequence. The college reserves the right to issue immediate termination should the situation be warranted. Each case is considered on an individual, fair and consistent basis.

### PROCEDURE

1. PRIOR to Progressive Discipline Step One, a bi-directional conversation between employee and supervisor should occur. This meeting is to mutually come to an understanding of the area of concern/behavior, solution to concern and establishing a time frame of checking in.

2. If the above occurs and the area of concern/behavior still occurs supervisor should invite employee to a second bi-directional conversation to further discuss and possibly identify alternative solution(s).

3. If both one and two occur and the area of concern/behavior is still occurring then the supervisor can connect with the Director, Employee Engagement.

#### 4. Verbal Counseling (Step One)

The first step of Progressive Discipline is verbal counseling. The verbal counseling is a discussion between a supervisor, an employee and the Director, Employee Engagement usually to review steps one and two above of a minor nature.

- The supervisor will review the violation with the employee and develop a performance improvement plan. The employee may be given a specific time within which the improvement must be made and will be informed as to what further action will be taken if continued violation(s) occurs.
- A Talent and Culture representative will be present at this step. The employee will have the option to have an advisor of their choosing present at this meeting.
- Verbal Counseling will be documented using the Record of Counseling form and will be placed in the employee's personnel file.
- Employee will be provided the opportunity to respond in writing on the Record of Counseling form.

#### 5. Written Counseling (Step Two)

The second step of Progressive Discipline is Written Counseling. Written counseling may be issued for repeated violations or misconduct of a more serious nature. Talent and Culture representative(s) will be present at this step.

- The employee will be informed of the specific violations(s). The Talent and Culture representative shall explain other disciplinary measures which may be taken if violation(s) continued.



- b. The Director, Employee Engagement will complete a Record of Counseling which clearly describes the misconduct, and the steps necessary for improvement. The written counseling may establish a specific time within which improvement must be made.
- c. The employee will be provided with an opportunity to respond in writing on the Record of Counseling. The Record of Counseling will be a part of the employee's personnel file.

**6. Disciplinary Suspension or Final Written Warning (Step Three)**

Depending on the nature and seriousness of the violation, a disciplinary suspension or final written warning may be issued.

- a. All suspensions and/or final written warnings must be reviewed and approved by the vice president of Talent and Culture.
- b. Recommendation(s) should also be documented on a Record of Counseling form and placed in the employee's personnel file.

**7. Termination (Step Four)**

After the previous steps have been taken, or as previously stated in cases of more serious misconduct, an employee may be terminated.

- a. The discharge of employees for repeated minor violations will normally be preceded by the previous steps. However, serious violations of policy and/or procedures may lead to skipping the previous steps and may warrant immediate termination.
- b. All terminations must be reviewed and approved by the vice president of Talent and Culture.



## **I-215 COMPLAINT RESOLUTION POLICY**

### **POLICY**

The College encourages employees and supervisors to resolve work standards and performance issues outside of this procedure. If more serious complaints and concerns involving discipline, workplace safety and termination from employment cannot be resolved, a more formal process for an employee to utilize is available. Such complaints will be dealt with in accordance with the guidelines and procedures outlined below.

### **PURPOSE**

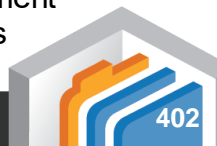
The purpose of this procedure is to provide a means for an employee to bring formal internal employment-related complaints to the attention of the College's administration for resolution. This procedure is limited to issues related to discipline, workplace safety, and termination from employment only.

### **GENERAL REQUIREMENTS**

1. An employee may only initiate a complaint in writing regarding employee termination, employee discipline or workplace safety issues.
2. The term "employee termination", as used in this process, shall not include the following:
  - a. Layoffs;
  - b. Workforce reduction activities;
  - c. Voluntary termination including, without limitation, quitting or resignation;
  - d. Job abandonment;
  - e. End of employment due to disability;
  - f. Retirement;
  - g. Non-Renewal under Wis. Sec. 118.22; or,
  - h. End of employment and/or completion of assignment of temporary, seasonal, contract, daily assignment, substitute, or replacement employment relationship.
3. The term "employee discipline", shall include any employment action that results in disciplinary suspension with loss of pay, disciplinary reduction in pay or other benefits, or disciplinary demotion.
4. The term "employee discipline", as used in this process, shall not include the following:
  - a. Plans of correction or performance improvement;
  - b. Performance evaluations or reviews;
  - c. Documentation of employee acts and/or omissions in an employment file;
  - d. Verbal (Record of Counseling - Step 1) or Written (ROC - Step 2) reprimands;
  - e. Administrative suspension with pay;
  - f. Administrative suspension without pay pending investigation of alleged misconduct or nonperformance;
  - g. Non-disciplinary wage, benefit or salary adjustments; or,
  - h. Other non-material employment actions.
5. The term "workplace safety" as used in this process means any alleged violation of any standard established under state law or rule or federal law or regulation relating to workplace safety.

### **GUIDELINES**

1. To be eligible to initiate the Complaint Resolution (CR) process, an individual must be an active employee.
2. If the employee's complaint involves an issue of Affirmative Action (AA) or Equal Employment Opportunity (EEO), the College may elect to refer the matter for resolution to the College's Equal Employment Officer.





3. The College prohibits retaliation against any employee who initiates a complaint or participates in an investigation of a complaint under this policy. An employee who is found to engage in retaliatory conduct is subject to appropriate corrective action, up to and including dismissal. All College employees are required to participate, provide information as requested, and otherwise fully cooperate with the CR process.
4. The College encourages an earnest effort be made to resolve these issues as promptly as feasible. Issues may be independently resolved even after a complaint has been filed.
5. The College reserves the right to consolidate sequential employee complaints when deemed appropriate.
6. If the employee is concerned about confidentiality, he/she should discuss this early in the exploration of resolution options to gain a clear understanding of the nature of the confidentiality that is available. Public records law may require the disclosure of certain written documents, and allegations of serious misconduct (such as theft or illegal discrimination, including sexual harassment) must be reported to the appropriate authorities.
7. All cases involving termination of employment will automatically start at Step 3 in this procedure.
8. Complaints will be processed per the provided timelines.
  - a. An employee may advance a complaint to the next step if a response is not provided within the designated time frames.
  - b. An employee may not file or advance a complaint outside of the designated time frames.
  - c. The vice president of Talent and Culture may advance a grievance to the next step at the written request of either the employee or the supervisor.
9. Complaint meetings/hearings held during the employee's off-duty hours will not be compensated.
10. Granting the requested or agreed upon remedy resolves the complaint.
11. The decision of the Board is final and not subject to further review.

## PROCEDURES

An employee's formal complaint must be in writing and signed by the employee. The Complaint Resolution Form can be obtained online or from any division dean associate. The written complaint must contain:

1. A statement of the pertinent facts surrounding the nature of the complaint;
2. The date the incident occurred;
3. The steps taken to informally resolve the complaint, the individuals involved, and the results of such discussion;
4. The specific requested remedy; and,
5. Must include the workplace safety rule alleged to have been violated, if applicable.

**STEP 1:** The employee must file a written complaint within fifteen (15) working days of the termination, discipline or actual or reasonable knowledge of the workplace safety issue. The complaint must be in writing. The complainant must discuss the issue with their immediate supervisor prior to filing the written complaint. The supervisor will provide a written response to the employee's complaint within ten (10) working days of receipt of the written complaint.



**STEP 2:** In the event the matter is not satisfactorily resolved at Step 1, the employee may submit a written appeal to the appropriate individual at the level above your immediate supervisor (per Gateway's organization structure) within fifteen (15) working days of receiving the Step 1 response. To initiate the appeal, the employee must submit:

1. A copy of the formal complaint.
2. A copy of the supervisor's response
3. Employee's reason(s) for disagreeing with the supervisor's response.
4. The employee may choose to be represented during this step by a third party.
5. The Administration will provide a written response to the employee within ten (10) working days of receiving the written appeal.

**STEP 3:** The complainant may file an appeal to the director of Employee/Labor Relations within ten (10) working days of the Step 2 written response. The Administration will work with the Impartial Hearing Officer (IHO) and the complainant to schedule a mutually agreeable hearing date.

1. The employee appeal will then be referred to an Impartial Hearing Officer (IHO) for review. The Administration shall select the IHO. The IHO shall not be an employee of the District. The IHO may be an employee of another District, a retired administrator, a lawyer, a professional mediator/arbitrator, or other qualified individual. The cost of the IHO will be the responsibility of the District
2. The director of Employee/Labor Relations will facilitate the complaint appeal procedure by first presenting the IHO with all relevant documents, including but not limited to the following:
  - a. A copy of the employee's written complaint and
  - b. A copy of the written response(s) from the department.
3. IHO Standard of Review: The decision of the Administration must not have been arbitrary or capricious. A decision will not have been arbitrary or capricious if it was made in the best interest of the District. The Rules of Evidence will not be strictly followed.
4. The IHO's written recommendation to the complaint must contain:
  - a. A statement of the pertinent facts surrounding the nature of the complaint.
  - b. A recommendation as to whether the complaint is sustained or denied, with the rationale for the recommendation.
  - c. A statement outlining the timeline to appeal the recommendation.
5. The IHO must sustain or deny the decision of the Administration. Authority is not given to modify the decision as made by the Administration. Authority is not given to grant in whole or in part the specific request of the complainant.
6. The IHO shall file a written response within thirty (30) working days of the hearing date.

**STEP 4:** If the employee believes the matter has not been satisfactorily resolved at Step 3, he/she may submit a written request for Board review within ten (10) working days of the receipt of the Impartial Hearing Officer Response. The Board shall make a decision regarding whether or not a hearing will be held within twenty-five (25) working days of the appeal. A final decision will be made within sixty (60) working days of the filing of the appeal.

1. The Board may decide, in each situation, whether it will review the record and make a decision, assign an independent hearing officer to create a recommendation for the School Board's review, or hold a new hearing and make an independent decision. The manner of review is the sole choice of the Board.
2. The Board's written decision regarding the complaint must contain: **A decision as to whether the complaint is sustained, denied or modified.**





### **ADDITIONAL GUIDELINES**

1. In either Step 3 or 4, the employee may choose to waive his/her right to a hearing and have the matter determined solely on the basis of information that has been provided.
2. It is expected that the time frames outlined in this procedure be adhered to. However, any unforeseen delay will be promptly communicated to the employee.
3. Working time lost by any employee(s) at a CR meeting should be considered as time worked for pay purposes.
4. To provide for the proper processing of all complaints beginning at Step 1, all relevant information must be provided in Step 1. All subsequent review steps will be limited to only utilizing information that was provided in Step 1. There will be no new information introduced following a determination in Step 1.

Adopted: July 1, 2012 (for All Staff )  
Supersedes: September 12, 2011 (for Administrative Staff only)



## POLICY

An integral part of the continued success of Gateway Technical College depends on the high standards of performance shown by its employees. Gateway Technical College is committed to ensuring that all employees are paid fairly, competitively and equitably. We believe in managing and developing employees so they can maximize their full potential.

All non-faculty, regular full-time and regular part-time employees will receive an annual performance evaluations. An employee's job performance should be discussed on an informal and consistent basis with the employee during the year. All new, transferred or promoted employees will be subject to an initial evaluation within 180 days. Additional evaluations are at the discretion of the supervisor.

Full-time and Part-time faculty are subject to a 3 year evaluation. This includes the professional development plan required by the Wisconsin Technical College System Office and in the last semester of the 3 year cycle, both the employee and supervisor will complete an evaluation.

1. The Employee Performance Evaluation is:
  - a. A development process for management to communicate expectations to the employee, helping the employee understand the job requirements and how to perform the duties.
  - b. A method to aid the supervisor to objectively evaluate the employee's performance and outline a course of action for training and development to improve overall performance.
  - c. A vehicle to enhance open, direct communication and encourage the employee to discuss job problems, interests and aspirations with the supervisor.
  - d. A record of solid documentation of both performance accomplishments and deficiencies to assist in future personnel actions and decisions.
2. Performance evaluations should be objective, and should focus on the employee's job performance, not on the individual's personal characteristics.
3. An initial evaluation will be performed before the end of a new employee's initial evaluation period. An employee's job performance should be discussed on an informal and consistent basis with the employee during the year.
4. If the department supervisor determines that the employee has not met the standards of performance before the completion of the initial evaluation period, the necessary action will be taken in lieu of completing the performance evaluation.

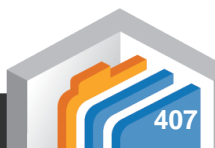
## PROCEDURES

1. Talent and Culture will initiate and monitor the performance evaluation process by supplying the department supervisor with the approved forms and information, and by ensuring that the procedures are followed and copies of the evaluation are placed in the employee's personnel file.
2. Talent and Culture is responsible for providing assistance and/or clarification of procedures. Talent and Culture may review the completed evaluation forms with the department supervisor prior to their issuance to the employee to ensure objectivity and appropriateness of comments.
3. All performance evaluations will be completed in the Evaluation Software on the standard Performance Evaluation form and will consist of a written evaluation and verbal discussion with the employee to review the evaluation.
4. For employees under dual supervision, supervisors are required to collaborate in preparing, completing, and conducting performance evaluation meetings. It is essential to note that an employee's signature on the form does not necessarily imply agreement with the content of the evaluation. Employees have the right to provide written responses and may request that their responses be documented in their personnel file.



# I-220 Performance Evaluations

Gateway Technical College  
All Employees  
Created: January 17, 2025





## I-230 EMPLOYMENT VERIFICATION

### POLICY

To protect employees (current or former) against indiscriminate release of confidential employment information, it is the policy of Gateway Technical College to refer any requests for employment verification of current or former employees to the Talent and Culture department.

### PROCEDURE

1. All requests, including phone calls, from outside the College for employment verification must be referred to Talent and Culture.
2. No employee-related information may be released without the authorization of the employee. Release of information will be in accordance with the following procedures:
  - a. Talent and Culture will respond only to a written request (a FAX on appropriate letterhead is acceptable) for employment verification, which is accompanied by a signed release from the employee.
  - b. Telephone or verbal requests- will only confirm dates of employment and position.
3. The Talent and Culture department will provide written verification of date of hire and wage information for current employees in certain circumstances, a copy of which will be placed in the employee's file.
4. When information is requested about an employee's prior employment history, the Talent and Culture department will only verify the employee's previous position and dates of employment at Gateway Technical College.
5. Questions concerning conditions of separation will be responded to with *"Gateway does not release- policy"*.
6. Questions concerning continued employment will be responded to with *"Gateway does not release- policy"*.
7. Violation of this policy regarding the release of any Talent and Culture information or any confidential information will be grounds for corrective counseling up to and including separation.

Adopted: January 2001

Reaffirmed &/or Updated: December 13, 2019



## I-240 EMPLOYMENT OF RELATIVES OR CO-HABITANTS IN THE SAME HOUSEHOLD

### POLICY

Gateway Technical College permits relatives and co-habitants to work within the College as long as their relationship does not create a conflict of interest or a situation of direct or indirect supervision that would create safety, security or morale problems.

### PROCEDURE

1. Relatives or co-habitants cannot directly or indirectly supervise or be supervised by another relative or co-habitant.

- a. For purposes of this policy, relatives are defined as:

Parents	Spouse	Children	Son-in-Law
Sister/Brother	Grandchildren	Grandparents	Daughter-in-Law
Mother-in-Law	Father-in-Law	Stepparents	
Stepchildren	Stepbrother/Stepsister	Grandparents by Marriage	
Special Circumstance - Relative/Relation [case-by-case de-separation]			

- b. For purposes of this policy, co-habitants are defined as: *Anyone living together in the same household.*
2. Relatives or co-habitants of the District may not recommend or decide to hire, promote, or establish the salary of another person when the person affected is a member of his/her immediate family. In addition, relatives or co-habitants may not work where there is a potential conflict in job duties.
  3. Applicants are screened by Human Resources for any relationships which might be subject to this policy. The hiring/requesting supervisor is notified if the applicant has such a relationship with a current Gateway Technical College employee.
  4. In situations which might otherwise violate the policy, written approval from the president, applicable vice president or the vice president, Human Resources is required prior to the hiring of a relative or co-habitant of another Gateway Technical College employee.
  5. Employees must immediately notify their supervisor of any relationship, including marriage that may be a violation of the policy. When a violation of the policy exists, Gateway Technical College will take the affected parties' desires into consideration, but the final decision will be resolved by Gateway Technical College.
  6. A request for an exception to ¶1 or ¶2 of this policy must be submitted in writing by the supervisor and must be approved in writing by the applicable vice president.

Adopted: January 2001

Reaffirmed &/or Updated: November 20, 2015; September 10, 2009



## I-250 COLLEGE SEPARATION AND EXIT INTERVIEW

### **POLICY:**

To ensure effective documentation and review of employee separations, this procedure has been established to:

1. Ensure the return of all college property
2. Facilitate exit interviews to understand reasons for separation and identify areas for improvement.
3. Distribute final pay in a timely manner.

Information gathered during exit interviews is generally kept confidential by the Talent and Culture department, though it may be shared in summary form if needed to identify trends or areas for improvement.

### **PROCEDURE:**

#### **Supervisor's Responsibilities**

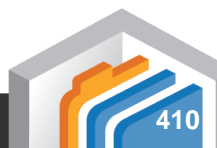
1. Ensure that the Benefits Manager or Director, Employee Engagement has been notified of the employee's resignation.
2. Notification to the employee of this separation procedure.

#### **Employee's Responsibilities**

1. Return all Gateway-owned computers, cell phones, ID's and other equipment.
2. Return college-issued locks and keys.
- 3.. Obtain information from the Benefits Manager or Director, Employee Engagement regarding the impact on benefits and any additional separation details.
4. Exit interviews are available in written or in-person formats and are highly encouraged but not required.

#### **Final Pay**

1. Any non-returned items or damaged equipment may incur a charge to the employee, to be deducted from the final pay.
2. Final pay for employment separations will be available no later than the next regularly scheduled pay date.





## I-260 PROFESSIONAL DEVELOPMENT FUNDS

### **POLICY**

Professional Development Funds are available at the department and district level.

Department level Professional Development Fund requests are approved by the department supervisor and are to be used for mandatory conferences or training assigned or professional development supported by the supervisor or required by the department.

District Professional Development Funds are available to all full-time and part-time employees as defined in the Employee Handbook (3.03) for the purpose of attending conferences, conventions, workshops, and other similar events which are related directly to the improvement of the employees and their department or division. They are for discretionary Professional Development activities and should not be used for courses or training eligible for tuition reimbursement, USG-fundable events, or system-called meetings.

District Professional Development Funds are approved by Training and Development through a competitive application process. Employees who are presenters or committee members for conferences are not automatically awarded Professional Development Funds.

### **PROCEDURE TO REQUEST DISTRICT PROFESSIONAL DEVELOPMENT FUNDS:**

1. All requests are accepted based on dates of travel.
2. Requests are submitted using the Professional Development Fund Application which includes supervisor approval.
3. The Training and Development Manager will notify employee of approval status.
4. Employees who are not awarded District Professional Development Funds may request funding from their department.

Further information on the District Professional Development Fund process, including the application, appeal, and cancelation process, can be found on the Training and Development intranet page.



## I-265 OUTSIDE LEGAL COUNSEL

### POLICY

Outside legal firms can be a valuable resource for the College in providing proactive advice for employment law and other risk management purposes. They offer an objective assessment of potential liability in particular circumstances. They can also assist with compliance issues unique to the public sector such as open meeting laws and public records provisions arising from the College's actions as a governmental entity.

### PROCEDURE

1. The College will engage in outside legal counsel services in the areas of:
  - a. Employment
  - b. Labor Relations
  - c. Contractual Agreements and Leases
  - d. Open Meeting Laws
  - e. Student-Related Issues
  - f. Any other legal matters deemed appropriate by the president and/or designee.
2. Initial contact with outside legal services will be coordinated through the following:
  - a. President
  - b. Board Chairperson
  - c. CFO/Vice President of Finance and Administration
3. Annual letters of engagement for outside legal counsel services will be obtained. Services outlined will include services to be provided and the rates the College will be charged.
4. The CFO/Vice President of Finance and Administration is charged with tracking legal expenses and reporting to the board as requested.

Adopted: March 20, 2006  
Supersedes: February 8, 2006  
Reaffirmed &/or Updated: September 10, 2009







## I-135 WORKER'S COMPENSATION

### POLICY

The purpose of this policy is to ensure that any worker injured in the course and scope of employment receives timely access to all the benefits as prescribed by workers' compensation laws. Workers' compensation covers employees' reasonable and necessary medical expenses and provides income for lost time from work due to an accident or an illness deemed compensable under the workers' compensation law.

Gateway Technical College seeks to provide a working environment that is safe and free from any elements which might cause workplace injuries or illnesses. It is the policy of the College to provide a workers' compensation program at no cost to employees. This program covers any injury or illness sustained in the course of employment.

### RESPONSIBILITIES

**Employees:** If an injury occurs while on the job, the employee is required to report it to their supervisor immediately. If the injury requires attention beyond first aid, the employee will immediately seek medical attention with a healthcare provider. Additionally, the employee is required to complete an on-line incident report detailing the incident and how it occurred, time/date of incident, injuries sustained, witness(es) present at time of incident, type of medical attention sought (if any), measures that could have prevented the incident, and contact information. With very few exceptions, such as medical incapacity, this report is required to be completed within **24 hours** of incident.

If seeking the care of a healthcare provider the employee will obtain from the treating physician a completed Return to Work form and return the form to the Benefits Manager at [halbachh@gtc.edu](mailto:halbachh@gtc.edu) or faxed to (262)564-3035 Attn: Heather Halbach, Benefits Manager.

The employee will provide regular updates, at least weekly, with medical reports on health condition and treatment to the Benefits Manager. If weekly reports cannot be obtained, an updated Return to Work form must be completed at every visit with a treating physician.

Once an employee has returned to work, it is his/her responsibility to work within the physical limitations that the healthcare provider has given. The employee shall perform only those duties that are assigned to him or her and within their restrictions. The employee must immediately notify their supervisor of any difficulty in performing their modified or alternative work. The employee must also notify their supervisor, in advance, of any medical appointments, and all attempts must be made to minimize the impact on work schedule. The employee must keep their supervisor informed of the recovery process and the ability to perform modified or alternative work.

**Supervisor:** In the event of an injury or illness, the supervisor will make sure that their employee receives proper first aid, or if necessary, proper medical treatment. **THE SUPERVISOR OR ANY COLLEGE EMPLOYEE WILL NOT TRANSPORT AN INJURED EMPLOYEE TO SEEK IMMEDIATE MEDICAL ATTENTION.** If immediate medical attention is required for an injury, the supervisor or a witness will contact 911 immediately and await EMS response.



The supervisor will be responsible for assisting the employee back into the workplace in their modified or alternative work position. The supervisor will work closely with the Benefits Manager to coordinate the Return to Work Program as well as assist in the completion of a safety mishap investigation.

The supervisor will ensure all required training is received and monitor and confirm that the employee does NOT work outside of their restrictions. The supervisor will need to provide close supervision of the employee and their assigned tasks in order to ensure the employee does not work outside their restrictions or is assigned tasks outside of their restricted abilities.

**Benefits Manager:** In the event of a workplace injury, the Benefits Manager will ensure that the appropriate notifications are made to the insurance company and forms submitted, including OSHA injury tracking. In the event an employee is off-work due to a workplace injury, the Benefits Manager will also coordinate FMLA paperwork as well. They will work with the supervisor to provide for modified or alternative work or coordinate with other areas within the college that would be able to provide modified or alternative work for the employee.

**Director, Safety and Security:** The Director, Safety and Security will also investigate all workplace injuries or illness to determine cause and ensure preventative measures are taken to correct for any hazards in the workplace.

**Everyone:** All employees at Gateway Technical College are encouraged to report any unsafe working conditions to the Director, Safety and Security immediately. The College is committed to providing the safest possible working environment and so we rely on all employees to help keep the workplace safe by correcting unsafe acts, following all safety policies and procedures, and identifying unsafe conditions.

## **WAGE BENEFITS**

**Required Waiting Periods:** A three day waiting period is prescribed by law; no Workers' Compensation is payable before the waiting period unless the disability lasts longer than 7 calendar days, in which case the three day waiting period is allowed. The first day of the three day waiting period is the next calendar day following the on-the-job injury or illness that the injured employee is unable to work as determined by the authorized physician. When an employee becomes eligible for Worker's Compensation temporary disability benefits (wage replacement) and is absent from work due to an injury compensated by Worker's Compensation, the employee will be able to use available sick time for the first full three days of the waiting period. The employee is not eligible to use other paid sick leave, including sick time, when they receive Worker's Compensation wage replacement benefits.

**Workers Compensation Wage Replacement Benefits:** Payments are equal to 2/3 of your average weekly wage and are non-taxable. Benefits are payable until you reach a healing plateau. The average weekly wage is subject to statutory maximums which are increased periodically. The most recent maximum weekly benefit amount can be found in the **Maximum Wage and Rate Chart** (publication WKC-9572-P from the Wisconsin Department of Workforce Development).



## **FRAUD IS NOT TOLERATED**

Workers' Compensation fraud disrespects you, the employer, honest co-workers and disrespects an important benefits program designed to help employees who are injured on the job. It is punishable under state law and is considered a violation of Gateway Technical College policy. Any employee found to be making a fraudulent claim may receive disciplinary action up to and including termination of employment.

## **RETURN TO WORK PROGRAM**

It is the goal of the Workers' Compensation Program to use employee training and preventative measures as strategies to reduce the risk and severity of injuries and illnesses. When workplace injuries and illnesses do occur, employees will receive the highest levels of care to ensure **maximum recovery**.

Gateway Technical College believes it is in the best interest of the College and its employees to facilitate the expedient return of staff to full duty after they have been absent due to injury, illness or other medical condition. Gateway Technical College's Return to Work Program encompasses a wide range of coordinated activities to help an employee transition back to work. Since our employees are our most valuable resource, Gateway Technical College will actively work with each employee's medical treatment plan and implement modified or alternative work to assist their return to work as soon as possible. Gateway Technical College will identify modified or alternative work based upon college need and the ability of the employee to perform the duties. Modified or alternative work may be limited and its availability cannot be guaranteed.

Through this program, Gateway Technical College will help injured employees recover at a more rapid rate and minimize employee benefits loss. At the same time, we benefit from having our employees providing a service and contributing to the overall success of our students and college. The intended outcome of the Workers' Compensation Program is to restore employees to a healthy status for prompt and full return to work.

### **Scope and Conditions:**

This program applies to all employees of Gateway Technical College who have an injury or illness that is compensable under Workers' Compensation Laws and that precludes the employee from performing any part of their normal work assignment or anything less than their normal work assignment.

Under the following conditions, Gateway Technical College will endeavor to provide transitional, modified duty to an employee who has experienced a work-related injury or illness:

- Gateway Technical College has productive, meaningful and manageable work available, as determined by the College.
- The medical restrictions imposed by the treating healthcare provider are objective and have been clearly communicated to the College and the Benefits Manager.
- The College has had an opportunity to match the medical restrictions to a modified job/task.



- The work can be performed safely within the medical restrictions and limitations identified by an appropriate healthcare provider.

- The work can be properly managed to ensure safe completion and operation within specified restrictions and limitations.

Based on availability of work, job assignment or healthcare provider's recommendations, modified or alternative work may be provided on a less than full time basis. In this case, wages paid will be supplemented with partial temporary disability benefits. Modified or alternative work, depending on availability and at the discretion of the college, may be in a different department or position. The employee will be trained in the modified or alternative work.

If modified or alternative work is available, the offer of their new assigned duties will be made in writing to the employee. The employee will accept or decline the modified assignment in writing. Failure to report for work on the start date of modified or alternative work, as written in the job offer, will be interpreted as a refusal of the offer. If the employee refuses the modified or alternative work that is within the specified physical restrictions, Gateway Technical College is not obligated to provide alternatives. The employee may be subject to disciplinary action and/or cancellation of income benefits under Workers' Compensation Insurance.

The modified or alternative work will be periodically reviewed by the Benefits Manager to determine the appropriate duration and activity as modified. Alternative work is only intended to be temporary. The modified or alternative work will be changed, as needed, to compensate for the changing abilities of the employee as their healing progresses. Upon receipt of a Return to Work form indicating the employee is returned to full, unrestricted work, the modified or alternative work duty will terminate.

Gateway Technical College reserves the right to assign or not assign an alternative or modified work position; this practice lies solely at the discretion of the college. One or more modified or alternative work position(s) are not intended to be long-term.



## Remote Work Policy

One of the flexible work arrangements Gateway Technical College (Gateway) offers is the ability to work remotely, which means working at home, or at another pre-designated off-campus site, instead of physically traveling to your assigned workplace. Gateway may offer this option to an employee when it benefits the College, customers and the employee, and may also define some positions as Full-Time Remote.

Note that flexible work arrangements do not change the terms and conditions of employment with Gateway.

### Remote Work Arrangements:

1. **Part-Time Remote** - Working off campus up to 3 days per week. An employee approved for Part-Time Remote work up to 3 days per week may or may not have a designated workstation on campus.
2. **Full-Time Remote** - Working off campus 4 to 5 days per week while going into the office for special events and meetings. An employee working Full-Time Remote will not have a designated workstation on campus.

### Provisions and Conditions

The employee, supervisor, and Talent & Culture will review and approve the feasibility of a remote work arrangement based upon the following criteria:

1. **Eligibility:** Use department guidelines to determine the eligibility of positions and individuals for successful remote work. More details on the application and approve process can be found on the Talent & Culture Intranet Site > Remote Work > Remote Work FAQ
2. **Workspace/Equipment:** Assess equipment needs and workspace design considerations
3. **Location:** See Work Location Other Than Southeast Wisconsin (below)
4. **Checklists:** Complete/approve prior to Remote Work start



## Expectations

1. Each employee and supervisor will agree on the Remote Work arrangement, the schedule, and the manner and frequency of communication. Employees will be accessible by phone, instant messaging/chat or email (Gateway-provided email is the primary means of communication) within a reasonable time-period during the agreed upon work schedule.
2. Employees will establish an appropriate work environment within their remote location for work purposes. Gateway will not be responsible for costs associated with initial setup of the employee's remote office such as remodeling, furniture or lighting, nor for repairs or modifications to the remote office space. Employees who require accommodations in their home work setting should submit for approval with the compliance office. More information can be found on the employee intranet site under the Compliance Division.
3. The focus of the arrangement must remain on job performance and meeting business demands. To ensure a professional environment, each employee is encouraged to discuss expectations with household members prior to working remotely.
4. While working remotely, employees will follow all Gateway policies and the Employee Handbook as well as all applicable department guidelines. Violation of any Gateway Policies or department guidelines may result in disqualification from further remote work consideration.
5. Gateway assumes no responsibility for injuries occurring in the employee's remote workspace outside the agreed-upon work hours. The employee agrees to maintain safe conditions in the remote workspace and to practice the same safety habits as those followed on Gateway premises. Employees are responsible for promptly notifying, within 24 hours of injury, Talent & Culture of any injuries.
6. The availability of Remote Work for employees (as a whole or individually) may be modified or discontinued at any time at the discretion of Gateway. Gateway will make every effort to provide reasonable notice of such a change; however, there may be instances where little or no notice is possible.
7. Each Remote Work arrangement will be reviewed after 30 days to address any questions and review the guidelines.

## Equipment and Materials:

With supervisor approval, Gateway may provide Part-Time or Full-Time Remote employees all or a portion of the items listed on the Remote Work Technology Checklist



and appropriate office supplies such as pens, paper, etc. Gateway may also reimburse other reasonably incurred business-related expenses. In these cases, employees will follow Gateway expense reimbursement policies.

Employees will maintain any equipment they supply, and Gateway accepts no responsibility for damage or repairs to this employee-owned equipment.

Employees will provide their own wired internet connection (*internet speeds of a minimum of 20 Mbps download speed*) and be responsible for their contractual or monthly expense. Additionally, employees will be solely responsible for purchasing any additional hardware or software required for their internet connection, costs of installation, and associated monthly fees.

## Information Security

Part-Time and Full-Time Remote employees will ensure the protection of proprietary and confidential College, student, and employee information. This may include using locked file cabinets and desks, regular password maintenance, and any other appropriate measures. Special care must be taken to avoid accessing data over public or unsecure networks. Refer to the following security policies for more information:

- **H-190** - Computer, Networking, and Information Resources
- **H190d** - Data Security Policy
- **H190e** - System Access, Identification, and Authentication Policy

## Work Location Other than Southeast Wisconsin

An employee who has a work location outside of the tri-county area supported by Gateway may be deemed physically based in that other locality and entitled to the benefits of the local labor and employment laws where he or she is physically working. This is factored into the approval process. Employees must notify their supervisor 30 days prior to a change in their primary remote work location.

Business use of the employee's home location may incur tax and/or other legal implications based on IRS and state and local government restrictions. Responsibility for fulfilling all obligations in this area rests solely upon the employee.



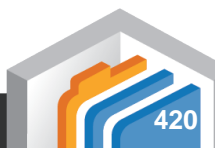
## Insurance

Workers compensation covers job-related injuries that occur in the course and scope of employment. For further information, refer to Worker Compensation Policy I-135.

Homeowners Coverage: The College's liability coverage does not extend to the employee's home or other remote work locations. Employees should note that some homeowner/renter insurance policies do not automatically cover injuries to themselves or third parties arising out of or relating to the business use of the home. For coverage questions, employees should contact their personal insurance agent.

## Campus and/or College Closure

In the event of a campus closure, remote employees will continue to work. In the event of a college closure, remote employees will be excused from work.







## I-270 PAYROLL

### **POLICY**

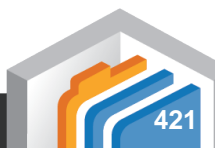
The Gateway Technical College workweek starts on Sundays at 12:01 a.m. and ends the following Saturday at 12:00 midnight. Pay periods will be bi-weekly (every two (2) weeks), and to help safeguard your paycheck, Gateway Technical College provides electronic deposit directly into your bank or credit union account.

### **PROCEDURES**

1. Gateway Technical College will pay all employees in accordance with their contract on a bi-weekly basis.
2. If a scheduled payday falls on a Federal banking holiday, employees will be paid on the preceding day.
3. All required deductions, such as for federal, state, and local taxes, and all authorized voluntary deductions, such as for health insurance contributions, will be withheld automatically from your paychecks.
4. Voluntary Deductions will be made with a signed, authorized document submitted to the payroll department.

Adopted: January 2001

Reaffirmed &/or Updated: October 21, 2009





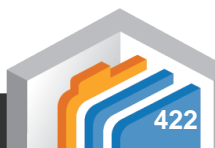
## I-280 TAX DEFERRED INVESTMENTS

### **POLICY**

The Gateway District permits employees of the District the opportunity to avail themselves of tax deferred income taxation provisions. Gateway employees have the option to voluntarily purchase a tax deferred investment, and by exercising such option agree to accept a deduction from salary for purchase of the tax deferred investment.

1. Payroll will create and maintain:
  - a. An active list of tax deferred investment companies
  - b. shall review the active lists on an annual basis. If the number of employees on the conditional list drops to zero (0), the company will be deleted.
- 2 TSA Consulting Group will be the Third Party Administrator for the 403(b) investment choices. The TPA will administer loans, Hardship withdrawals, changes and roll-overs.
3. The 457 plan is administered by Great West (Wisconsin Deferred Comp).

Adopted: January 2001





## I-290 EMPLOYEES SUMMARY OF BENEFITS

### POLICY

This policy applies to all regular full-time and regular part-time employees. Specifically excluded are temporary, casual, and student employees.

#### 1. Holidays.

Employees shall receive pay for the following specified holidays, or the day observed as the holiday, on the same basis as though those days had been actually worked, when those days fall on what would otherwise be scheduled work days.

Holidays	
Regular Year-Round Employees (12 Months/52 Weeks)/14 Paid Holiday)	
The following shall be paid holidays:	
New Year's Day	Labor Day
Martin Luther King Jr. Day	Veterans Day
Spring Holiday Friday	Thanksgiving Day
Spring Holiday Monday	Day Following Thanksgiving Day
Memorial Day	Day Preceding Christmas Day
Juneteeth	Christmas Day
Independence Day	Day Preceding New Year's Day
Regular Par-time Year-Round Employees (12 Months-52 Weeks)	
Regular part-time employees, regardless of weekly hours shall receive pro-rate holiday time off with pay based on total hours paid the last calendar quarter.	
Regular 40 Week Employees (40 hours per week)	
Forty (40) week employees shall receive pay for only those holidays that fall within those 40 weeks.	
Tuesday through Saturday Scheduled Employees	
Employees with a regular weekly schedule of Tuesday through Saturday will receive the first day of their scheduled week as the holiday in place of any Monday holidays. This would mean that Tuesday would be the scheduled holiday for these employees	
Instructional Employees	
Employees working an instructional contract will be provided with paid holidays provided the fall within the semester worked. New hires will receive compensation for paid holidays occurring after the date of hire.	
Instructional Employees Part-Time	
Part Time employees working an instructional contract will be provided with paid holidays provided they fall within the semester worked and based on their contractual percentage. New hires will receive compensation for paid holidays occurring after their date of hire.	

#### 2. Medical, Dental, and Vision Insurance.

The monthly employee insurance payment contributions will be fifteen percent (15%) of the health and dental insurance premiums. Vision is 100% employee paid.

#### 3. Disability Insurance.

- Long Term:** The District will pay the premium for long term disability coverage and coverage will be effective the date of hire. There will be a ninety-day (90) waiting period for benefits to commence. Benefits will be provided at a rate of 66 2/3% of salary.
- Short Term** The District shall offer the Short-Term Disability Insurance benefit. Employees may participate in said program at the employee's expense subject to the provisions of the plan and enrollment requirements.

**4. Group Term Life Insurance and Dismemberment.**

The District will pay the premium for group term life insurance with \$1,000 of coverage per \$1,000 of income until age sixty-five (65). Said coverage will be effective the first of the month following date of hire. After an employee's sixty-fifth (65th) birthday, the reduction clause in the life insurance policy will be in force.

**5. Wisconsin Retirement.** Retirement benefits will be available to all regular full-time and part-time employees and shall not apply to casual, project, or substitute employee service. By statute, the Employee will pay, one-half of the required contributions to the Wisconsin Retirement System (WRS).**6. Leaves**

a. **Leave of Absence — General Statement.** Requests for leaves of absence for reasons including sabbatical leave, family leave, or military leave may be considered by the president or designee.

b. **Conditions Affecting Leaves of Absence.**

- 1) **Time of Request.** Such request should be submitted in writing to the president or designee at least one (1) month prior to the date it is desired to be granted unless otherwise impractical.
- 2) **Procedure.** The president or designee will interview any person submitting such a request and make a decision.
- 3) **Length of Leave of Absence.** Leave of absence shall not be for more than one (1) year in length, but may be less than this period if the circumstances arise.
- 4) **Compensation.** If approved, the applicant will be placed on leave of absence without pay and, upon return, may be reassigned to the former duties provided the employee is found physically qualified to resume such duties and a position is available.
- 5) **Employment Status.** An employee on leave of absence shall retain employment status as accrued relating to salary placement at time of leave.

c. **Family Leave of Absence.** Family leave will be granted pursuant to the provisions of Wisconsin Statutes and applicable federal regulations. Refer to I-330 for complete explanation.

d. **Sabbatical Leave.** Sabbatical leave shall be granted based primarily on the competency of the applicant and in the interest of the school.

- 1) **Purpose.** To encourage professional growth through study, independent research, or a combination of both.
- 2) **Procedure.** Request for sabbatical leave shall be submitted by email to the president or designee.
- 3) **Applicant's Obligations.**
  - a) Recipient accepting payments for sabbatical leave will obligate himself/herself to return to the service of the school for twice the sabbatical leave granted or will have to return the full amount of compensation received. Recipient will sign a note for the amount of compensation to be received, interest free, said note to be canceled at the end of the service required according to this policy, or at the death of the maker or upon his/her becoming permanently incapacitated or disabled.
  - b) Recipient of sabbatical leave shall transmit to the president or designee within thirty (30) days after completion a written report of the sabbatical program.
  - c) It shall be the responsibility of the recipient to notify the president or designee by February 1, if return to duties by September can be expected, or by October 1, if return to duties by the beginning of the second semester can be expected.



- 4) **Compensation.** The salary for an applicant on sabbatical leave shall be 60% of the contract salary based upon the actual contract salary of the year preceding the sabbatical leave or a proration for the period of sabbatical if less than one (1) year.
  - a) **Method of Compensation.** Payment shall be made to applicant in accordance with payroll procedures as they apply to all certificated employees.
  - b) **Payment Status.** Employees on sabbatical leave shall retain employment as accrued relating to salary placement.
- 5) Employees on sabbatical leave shall retain membership in the retirement system, insurance benefits, and accrue sick leave.
- 6) **Additional Employment.** The individual on sabbatical leave may not accept employment while on sabbatical leave other than employment provided under a scholarship or grant award.
- 7) **Number of Sabbaticals.** The number of sabbatical leaves granted to employees as a group each year shall not exceed two (2).
- 8) **Penalties.** If the president or designee is convinced that an employee on sabbatical leave is not fulfilling the purpose for which the leave was granted, the president or designee may effect separation of the leave of absence as of the date of the notification after giving the employee an opportunity to be heard.
- 9) **Agreement.** Agreement to abide by the provisions of sabbatical leave is confirmed by the employee's signature and the signature of a witness and the date.
- e. **Sick Leave.** The District grants sick leave to all regular full-time and regular part-time employees (who average 20 or more hours per week ) to be used when they are unable to work because of illness or injury of the employee, or a member of his or her immediate family. The definition of an immediate family member for purposes of sick leave is defined as spouse, domestic partner, children, stepchildren, mother, mother-in-law, father, father-in-law, sister, brother, grandchildren, or step grandchildren. In cases where some other person stands in a position virtually identical with one of the above, such as a foster child or a dependent living in the household, the same rules apply.
  - 1) Sick leave is accumulated as follows:
    - a) New employees shall receive one day per month ratio based on scheduled hours prior to the start of a new fiscal year.
    - b) Full-time employees will receive twelve (12) days of sick leave on the first day of the new fiscal year.
    - c) Part-time employees who average 20 or more hours per week are pro-rated based on the weekly hours scheduled.
    - d) Unused days may be carried forward from one fiscal year to the next, but not to exceed 180 days.
    - e) Accrued sick leave is forfeited upon retirement, termination, or resignation.
    - f) Sick leave may also be used for medical appointments or emergency situations that cannot be scheduled at times other than during the employee's regular scheduled workhours. Whenever possible, the college encourages the use of a flexible schedule to be used for emergency appointments with supervisory approval.
    - g) Sick leave does not accumulate during leave of absence in excess of 12 weeks.
  - 2) The responsibility for claiming sick leave shall rest on the employee. After three (3) consecutive work days a physician's statement attesting to the employee's absence must be furnished.



- 3) Absences in excess of the number of days to which an employee shall be entitled shall be deducted at the daily rate of salary.
- 4) A period of not more than one (1) year shall be granted as a long-term leave of absence due to personal illness or disability due to injury, provided a physician's certificate is furnished to substantiate, from time to time, the need for continuing such leave. If the president or designee so desires, the employee on such leave shall be examined by a physician selected by the College. Additional leave time may be granted at the discretion of the District Board.
- 5) Employees are entitled to Worker's Compensation coverage. In order to be eligible for coverage, the employee shall promptly report the injury to Human Resources - Benefits. This is essential so as to comply with aspects of the Worker's Compensation Program. For further information, please see policy I-135

g. **Bereavement Leave.**

- 1) Bereavement is granted in case of necessary absence to make arrangements for or attend a funeral of a member of the employee's or employee's spouse's family as follows:
- 2) A maximum of up to five (5) days with regular pay per occurrence of an immediate family member. For clarification with regards to immediate family member, refer to the following list: father, father-in-law, mother, mother-in-law, sister, sister-in-law, brother, brother-in-law, husband, wife, son, son-in-law, daughter, daughter-in-law, grandparent, spouse's grandparent, grandchild, step relationship (mother, father, child), domestic partner, or any person whether related by blood or not to whom such employee stood in the acknowledged relationship of parent or child.
- 3) A maximum of up to two (2) days with regular pay per occurrence of a relative not identified in paragraph A. For clarification with regards to close family member, refer to the following list: aunt, uncle, niece, nephew, or great-grandparent of the employee or of the employee's spouse or domestic partner.
- 4) Additional days or occurrences not identified in either paragraph 1) or 2) may be granted at the discretion of the president or vice president of Talent & Culture.
- 5) Documentation will need to be provided to the employee's immediate supervisor. Examples of acceptable documentation include a letter from the funeral home or a program confirming attendance at the funeral. The relationship of the deceased to the employee should be indicated somewhere on the document. Approved bereavement leave is not deducted from the employee's sick account.

h. **Military Leave**

- 1) Employees who enlist for active military service shall be granted a leave of absence without pay in accordance with the provisions of federal law and state law.



- 2) Employees who are drafted or are called-up to extended active military service shall be granted a leave of absence and shall be paid the difference between the amount of base pay they receive from the federal or state government for such duty and their regular earnings, calculated on the basis of the current salary schedules. Reimbursement for expenses (subsistence, rental, travel) shall not be included in determining pay received from the government. The college pay benefit will end on the last day of involuntary service.
- 3) If the drafted or called-up employee is covered by the college's family health and/or dental insurance plan, the insurance shall continue in force for the employee's eligible dependents for the duration of the employee's draft or recall period. The college insurance benefit will end on the last day of involuntary service.
- 4) The employee's absence shall not be construed as a break in service for any purpose.
- 5) Employees who are members of a reserve component of the armed forces or who are members of the National Guard and who are required to enter into active training duty or are required to accept special service during workdays shall be granted a paid military leave of absence and shall be paid the difference between the amount of base pay they receive from the federal or state government for such duty and their regular earnings, calculated on the basis of their normal daily or weekly salary. Reimbursement for expenses (subsistence, rental, travel) shall not be included in determining pay received from the government. In order to be reimbursed, the employee shall provide a written directive from appropriate military officers stating that it is impossible to serve this duty at any other time. Such leave shall not exceed four (4) weeks per year.
- 6) When time permits, the request for a reserve military leave should be as far in advance as possible so the employer can adequately plan for the absence. Whenever possible, the request should be accompanied by a copy of the reservist's military orders. The request shall be submitted to the vice president of Talent & Culture and shall be approved by the president or designee.
- 7) Any employee required by an involuntary call to report for an induction physical examination shall be excused with pay for such examination. Such absence shall not be deducted from accumulated sick leave.

## 7. Vacation

### a. Vacation Leave is accumulated as follows:

Non-Faculty Exempt Employees		Non-Exempt Employees	
Years of Service	Vacation Days (per year)	Years of Service	Vacation Days (per year)
0 - 1	1.67 prorated days per month	0 - 1	1 prorated day per month
1 - 9	20	1 - 4	12
10 - 14	23	5 - 9	17
15+	25	10 - 14	18
		15 - 19	20
		20+	25
Instructional Paid Time Off: Faculty are not eligible for vacation:			

- Years of Service as of July 1st each year.
- Part-time employees who average 20 or more hours per week are prorated based on the number of hours scheduled to work.

b. Vacation requests should be submitted in advance of the leave as vacation requires prior supervisor approval. Approval is not guaranteed.



- c. No Pay Usage: When accrued time is available, no pay cannot be used until the accrued time has been exhausted. If no accrued time is available, no pay is subject to supervisor approval.
- d. At the end of each fiscal year, employees will lose any hours in their vacation account in excess of 10 days (80 hours). Current balances up to 10 days (80 hours) in the account will automatically rollover.
- e. Vacation leave must be taken in a minimum of half ( $\frac{1}{2}$ ) hour increments.
- f. Any new employee leaving employment within their initial evaluation period, whether 180 calendar days or extended, will lose all accumulated vacation time.

## 8. **Salary**

- a. There are 14 pay grades for all non-faculty employees. There are 4 pay grades for all faculty employees. Employees will be placed in the correct pay grade within said salary structure. The salary of the President of the college will be determined by the Board of Trustees and the vice president of Talent & Culture.
- b. Initial placement on the salary schedule will be based on an analysis of the candidate's academic and occupational background relative to the position requirements. Employees with less than a year of service and hired before April 1st of the current fiscal year will be eligible for a salary increase on the following July 1.
- c. Employees who work less than full-time will be placed on the salary schedule on a pro rata basis. For example, an employee who works 30 hours a week will be paid at 75% of his/her pay grade.

## 9. **Miscellaneous Provisions**

### a. **Professional Development:**

- 1) The college is committed to providing training and development opportunities to assist in the professional and personal growth of individual employees. An employee's professional development is a shared responsibility of the employee, the supervisor/manager, and the college. Employees have primary responsibility to create their career development plans, initiate actions that will direct them to their career goals, and document their progress.
- 2) Training and Development provides many professional development resources and services to Gateway employees. Through the use of professional development funds, employees are encouraged to attend conferences, seminars, and related professional development activities that will enhance their work at the college. The college also provides tuition reimbursement to eligible employees for successfully completing approved courses taken at Gateway or other accredited post-secondary institutions. In addition, the Gateway to Leadership program provides in-depth leadership training for faculty and staff who want to lead from their current positions.

### b. **Professional Leave**

- 1) Definition: Professional leave is defined as leave granted for attendance at conferences, conventions, workshops, institutes, school visitations and other similar meetings which are related directly to the improvement of the employees and their department or division.





- 2) Request and Approval: Employees will submit a request to their immediate supervisor thirty (30) days in advance of the meeting, if possible. . The supervisor shall respond within five (5) days. Prior approval is documented by completing the "Request" in the travel and expense software.
  - 3) Reports: Employees granted professional leave shall share their experiences as agreed upon between employee and supervisor.
  - 4) Funding: If district professional development funds are being requested for the professional leave, the employee must follow the Professional Development Fund process.
- c. **Training** - Gateway offers various training opportunities for employees, such as customer service and technology training. Prior approval is required from the employee's supervisor if attending during workhours and/or if fees are paid by the department. An activity request form is required for all out-of-district training.

**The Gateway District reserves the right to change any of the above-noted provisions, and the Gateway District further reserves the right to discontinue any of the benefits provided herein.**



## **I-300 EARLY RETIREMENT PROGRAM**

### **POLICY**

Early retirement benefits will be available to staff. It shall not apply to casual, project or substitute employee service. Early Retirement Benefits are not available to employees hired on or after July 1, 2014.

### **EARLY RETIREMENT ELIGIBILITY**

Any employee who requests early retirement benefits under this policy must be an employee who:

1. Has reached the age of at least fifty-five (55) with twenty-five (25) years of service, at least fifty-six (56) with twenty (20) years of service, at least fifty-seven (57) with fifteen (15) years of service, or at least sixty-two (62) with ten (10) years of service at the time of retirement but has not reached age sixty-five (65) by that date.
2. Is a full-time or part-time employee at the time retirement is requested.
3. Has given sixty (60) days advance notice of retirement unless illness or extenuating circumstances cause a need for retirement without notice as requested herein.

### **BENEFITS**

1. Medical and Dental Benefits: Any employee retiring under this policy is eligible to select between:
  - a. Medical and dental insurance provided the group wherein the employee was a member immediately preceding retirement with the employer's share of the premium paid by the employer for three (3) years or until medicare eligible, whichever comes first. Retirees will pay the same insurance contributions as working employees. Retiree health insurance contribution will not be frozen at the time of retirement.
  - b. Retiree Health Reimbursement Account (HRA) which equates to \$1,000 per full service year at the college plus \$20 per hour of sick time at the time of said employee's retirement date. The HRA will be valid for five (5) years or until age sixty-seven (67), whichever comes first.
2. Medicare: In the event a retired employee under this policy becomes eligible for Medicare prior to age sixty-five (65), the college will pay the cost of the supplemental insurance coverage which, when added to Medicare is substantially equivalent to the coverage provided the group within which the retired employee functioned immediately prior to retirement for three (3) years.
3. Life Insurance:

Employees who retire under the retirement provision may maintain their basic group term life insurance, subject to age reductions at ages 65, 66, and 67 (final reduction). The District will pay the group term life insurance premiums for employees who are eligible to retire with the benefits, with no change in the existing plan.





## I-310 NORMAL RETIREMENT PROGRAM

### POLICY

Retirement benefits will be available to staff hired before 07/01/2014. It shall not apply to casual, project or substitute employee service.

### ELIGIBILITY REQUIREMENTS

An employee who requests retirement benefits under this policy must be an employee who:

1. Has reached age sixty-five (65) at the time of retirement or who has reached age sixty-five (65) after qualifying under an early retirement policy with the District. Any employee retiring under this policy with less than ten (10) years of service will not be eligible to continue life insurance benefits regardless of age at retirement. However, the employee may convert his/her policy according to the provisions contained in the life insurance policy.
2. Is a full-time employee at the time retirement is requested.
3. Has given thirty (30) days advance notice of retirement unless illness or extenuating circumstances cause a need for retirement without notice as requested herein.

### BENEFITS

#### 1. Life Insurance

Employees who retire under this provision will receive their District group term life insurance coverage. The District will pay the group term life insurance premiums for employees who are eligible to retire with benefits.

Adopted: December 10, 2007

Supersedes: February 17, 1997

Reaffirmed &/or Updated: 12/03/2020 (clarified eligibility to those hired before 07/01/14) 10/01/2017 (clarification on Life Insurance language and going from 60 days to 30 days notices); April 4, 2016 (clarification of language); October 21, 2009; August 2004 (Language clarified under *Benefits* ¶1 to include dental benefits).



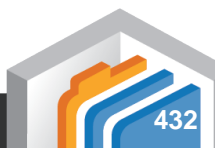
## I-325 HEALTH AND WELLNESS

### **POLICY**

Health and wellness education is provided in an effort to help promote healthy lifestyles and individuals' health management. On the whole, emergency care is provided by external emergency medical teams who may be called to assist in specific incidents, but Gateway Technical College may provide limited emergency services on-site.

### **PROCEDURES**

1. Employees who need immediate care may call upon the local campus' response team or call 911 in the event of a life-threatening emergency. Telephones for emergency communication are located in all classrooms.
2. Persons who need immediate care but who are ambulatory should proceed directly to an immediate care medical facility.
3. The college provides an Employee Assistance Program (EAP) for staff who may need additional assistance with emotional or mental health and wellness issues. Information regarding the EAP is available through Talent and Cultures.





## I-330 Family and Medical Leave Summary of Benefits

### **POLICY:**

Gateway Technical College complies with all applicable state and federal laws concerning the Family and Medical Leave Act (FMLA). However, there are certain differences between the two laws. In general, the federal FMLA allows for 12 weeks of leave within a 12-month period for the birth, adoption or foster placement of a child. It also provides leave if an employee has a serious health condition, or needs to care for a seriously ill spouse, child or parent. There are additional provisions regarding a spouse, child or parent in the military. Wisconsin's FMLA allows up to 10 weeks of leave and does not cover foster placements, unless they are a precondition to adoption.

When state and federal FMLA laws apply to an employee's situation, the leaves run concurrently, with the employee entitled to the provisions that are more beneficial. Medical leaves qualifying under FMLA will also run concurrently with leaves under worker's compensation, short-term disability and other laws, as applicable and as allowed by law.

The college runs the FMLA 12-month benefits period on a rolling-year basis. If spouses are employed by the college, their combined total leave for the birth, adoption or foster care placement of a child, or to care for a parent with a serious health condition, is 12 weeks. Wisconsin's FMLA stipulates leave in connection with the birth or adoption of a child must start within 16 weeks of the child's birth. Leave for the birth or adoption of a child must be concluded within 12 months of the child's birth or adoption.

To qualify for FMLA, employees must be employed with the college for at least 12 months and have worked at least 1,250 hours in the preceding 12-month period. Wisconsin's FMLA law stipulates employees must have worked 1,000 hours in the last 52 weeks.

Taking FMLA leave will not be used against an employee in any employment decision. Employees on FMLA leave may not engage in any other employment that is inconsistent with the reason for the leave.

### **Definitions**

#### **Child**

Under both state and federal FMLA laws, "child" means a biological, adopted, foster or stepchild, or a legal ward. Under the FMLA law, the definition also includes a child for whom the employee provides day-to-day care and financial support. Under both state and federal FMLA laws, a child is also someone under age 18, or who is 18 years or older but unable to care for themselves because of a mental or physical disability (federal FMLA) or serious health condition (Wisconsin FMLA).



## Parent

Under both Wland federal FMLA laws, “parent” means a biological parent, foster parent, adoptive parent or stepparent. Under federal FMLA law, the definition also includes an individual who was responsible for the day-to-day care and financial support of the employee when the employee was a child. The federal definition doesn’t include the parents of an employee’s spouse or domestic partner. Under WI-FMLA law, however, “parent” also includes the parents of an employee’s spouse or domestic partner.

## Serious Health Condition

A serious health condition is an injury, illness or impairment, or a physical or mental condition, that involves inpatient care in a medical care facility. It also refers to a health issue requiring continuing treatment by a health care provider because the health condition prevents the employee from performing their job functions or prevents a qualifying family member from participating in school or other daily activities.

The definition of “continuing treatment by a healthcare provider” includes:

- A period of incapacity lasting more than three full, consecutive calendar days that are combined with at least two visits to a health care provider, or one visit and a regimen of continuing treatment under the supervision of a health care provider (time limits apply to healthcare provider visits)
- Any period of incapacity due to pregnancy or prenatal care
- Any period of incapacity, or treatment for such incapacity, due to a chronic, serious health condition
- A permanent or long-term incapacity due to a condition for which treatment may not be effective
- Any period of absence to receive multiple treatments by a healthcare provider, or for a condition that would likely result in a period of incapacity of more than three full, consecutive calendar days in the absence of medical intervention or treatment. (Under Wisconsin FMLA, the “more than three full, consecutive calendar days” requirement does not apply.)

## **PROCEDURE:**

### **Federal FMLA**

Under the **Federal FMLA**, eligible employees are allowed up to 12 work weeks of unpaid leave per 12-month rolling calendar period for the following reasons:

- Your own serious health condition
- To care for your spouse, child or parent with a serious health condition
- For the birth of your child, or the placement of a child for adoption or foster care with you
- For incapacity due to your pregnancy, prenatal medical care or childbirth
- For certain military issues (see below)



## Wisconsin FMLA

**Wisconsin FMLA** permits eligible employees to take unpaid leave for the following reasons:

- Your own serious health condition (2 weeks)
- To care for your spouse, domestic partner, child, parent or parent-in-law with a serious health condition (2 weeks)
- For the birth or adoption of your child (6 weeks)

## General Leave Rights

### **Bone Marrow or Organ Donor Leave**

Employees who have worked for the college for 52 consecutive weeks and at least 1,000 hours are eligible for leave to be a bone marrow or organ donor. You may take up to six weeks of leave in a 12-month period if you provide the college with written certification that the donee has a serious health condition that necessitates a bone marrow or organ transplant; that you are eligible to donate and have agreed to be a donor for the donee; and the amount of time your recovery is expected to take.

### **Military Family Leave**

Twenty-six workweeks of military family leave are part of the federal FMLA. Married college employees are limited to 26 total weeks of leave between them. The same FMLA usage provisions regarding employee notification, certification, use of paid time off, etc. apply to military family leave. There are two types of military family leave.

- **Qualifying exigency leave.** Eligible employees who have a spouse, child or parent in the military may use their 12-week FMLA in certain urgent circumstances. First, the spouse, child or parent must be on covered active duty, or called to covered active duty, in support of a contingency operation. Leave-qualifying exigencies may include attending military events, arranging for alternative childcare or parental care due to an impending deployment, addressing financial and legal arrangements, attending counseling sessions, and attending post-deployment reintegration briefings. These 12 weeks of leave are not in addition to the general 12 weeks afforded under the federal FMLA. Employees are only entitled to 12 total weeks of leave for any combination of personal, family or qualifying exigency military FMLA.
- **Military caregiver leave.** Eligible employees may take up to 26 weeks of leave during a single 12-month period to care for a child, spouse, parent or next of kin who is a current member of the Armed Forces, including the National Guard or Reserves. The service member must be undergoing medical treatment, recuperation or therapy for a serious injury or illness that was incurred in the line of duty, or that existed before the beginning of the service member's active duty and was aggravated by service in the line of active duty. This provision also covers care for a veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness that was incurred in the line of duty, or that existed before the beginning of the veteran's active duty and was aggravated by service in the line of duty. These 26 weeks of leave are not in addition to the general 12 weeks afforded



under the federal FMLA. Any other FMLA leave taken (e.g., for the birth of a child) will decrease this 26-week period. These 26 weeks are not an annual allotment, but rather a one-time leave for a particular injury or illness.

## **Intermittent Leave**

You do not need to use all of your FMLA leave at one time. If medically necessary, or when there are qualifying exigencies, you may be eligible to take an intermittent leave or reduced-schedule leave instead. If a new position better accommodates this type of leave, the college may transfer you to a temporary position with equivalent pay and benefits

The college may deny use of intermittent FMLA leave for the birth, adoption or foster placement of your child during the federal-only portion of your FMLA leave. Under Wisconsin's FMLA, the last increment of intermittent leave for the birth or adoption of your child must begin within 16 weeks of the child's birth or adoption.

## **Notification and Certification**

Whenever possible, you must give at least 30 days' written notice of your need for FMLA leave. When 30 days' notice is not possible, you must give as much written notice as possible. All requests for leave must be made on the college's [Request for Family or Medical Leave form](#) and forwarded to the Benefits Manager. The college's normal call-in procedures must also be followed.

You must give sufficient information to the college so Gateway Technical College can determine if the leave qualifies for FMLA protection, and so the college will know the anticipated timing and duration of your leave. The information the college needs to determine FMLA qualification may include whether you're unable to perform job functions, whether a family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or the circumstances regarding the need for military family leave. You must also inform Talent & Culture if your requested leave is for the same reason for which you previously took FMLA leave or were certified for it.

Gateway Technical College may require you to provide medical certification for the leave. If so, you will have 15 calendar days in which to provide the certification, except in extenuating circumstances. If you don't provide adequate certification in a timely manner, your leave request, or continuation of leave, may be delayed or denied.

The college may require a second medical opinion regarding your serious health condition, which it will pay for using a health care provider of its choice. If the two medical opinions differ, the college may obtain a third opinion, at its own expense, from a mutually-agreed-upon health care provider. The third opinion would be binding on both parties. Recertification and periodic reports regarding your health status and intent to return to work may also be required, as allowed by law.

After considering all of the information, the college will inform you whether or not you are





eligible for leave, specifying whether any additional information is needed and informing you of your rights and responsibilities. If Gateway Technical College determines you are ineligible for leave, we will provide a reason. The college will also inform you whether your leave will or will not be designated as FMLA leave, and the amount of leave that will be counted against your leave entitlement.

## **Substituting Earned Time Off**

During the portion of an FMLA leave covered by Wisconsin law, you have the option of substituting your accrued paid leave for your unpaid FMLA leave. During the federal-only portion of an FMLA leave, the college requires you to use your accrued paid sick leave followed by paid vacation leave. In order to use paid leave in conjunction with FMLA leave, you must comply with our normal paid leave policies. If you do not meet the qualifications necessary to substitute paid leave for FMLA leave, you will still be able to use your unpaid FMLA leave.

## **Benefits During Leave**

An employee's coverage under the college's group health plans (i.e., health and dental) will be maintained during FMLA leave, as required by state and federal laws and in accordance with the applicable terms of the plans.

If you normally pay a portion of these premiums, you must continue to do so during your FMLA leave. If paid leave is substituted for unpaid leave, your portion of these premiums will be deducted from your paycheck. During unpaid leave, payment arrangements must be made prior to the start of the leave, or as soon as practicable. A 30-day grace period will apply to premium payments. However, if your payment still hasn't been made, your group health and/or dental insurance may be terminated.

In certain circumstances, if you don't return to employment after the college has maintained your insurance during your leave, the college has the right to recover the total cost of the insurance premiums it paid during your leave.

Using FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of your leave. Benefit accruals may be suspended during your leave, however. If this occurs, they will resume once you return to active employment.

## **Returning to Work at the End of Leave**

If you return to work within the time frames protected by the FMLA laws, you will be returned to your former position. If that position is no longer available, you will be given an equivalent position with equal pay, benefits and other employment terms. If you wish to return to work before your leave is up, and work is available, you must notify Talent & Culture at least two days prior to your desired return date. If you took FMLA leave for your own serious health condition, a return-to-work certification will be required before you may return to work.



### **Failure to Return to Work**

If you do not return to work at the end of your FMLA leave, your rights under the federal and state FMLA laws, including the right to reinstatement, will no longer be in effect. In such a case, your employment may be terminated.

### **Failure to Meet Policy Requirements**

If you fail to meet the requirements of this policy, your leave will be denied until the requirements are met. You must also follow other applicable college policies, including those regarding benefit use, paid time off and notification of absences.

While on FMLA leave, you may not engage in other employment or activities which are inconsistent with the medical restrictions, treatments and/or the need to be on FMLA leave.

### **College Duties and Enforcement**

It is unlawful for Gateway Technical College to interfere with, restrain or deny the exercise of any right provided under FMLA. The college also cannot discharge or discriminate against any person for opposing any practice made unlawful by FMLA, or for involvement in any proceeding under or relating to FMLA. FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law, or collective bargaining agreement, which provides greater family or medical leave rights.

\*This current revision supersedes previous revisions of this document.



## I-350 ADMINISTRATIVE EXTRA EMPLOYMENT

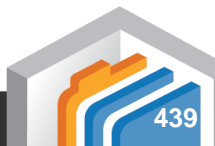
### **POLICY**

Administrative personnel are paid on a salary basis and are not entitled to additional compensation for services performed for the District, unless pursuant to the following:

1. For teaching a course(s) when said course(s) is taught at a time outside of their normally scheduled work hours and the teaching of the course(s) does not conflict with their primary work responsibilities to the District.
2. Any administrative personnel who teach a course for additional compensation will only be authorized to teach said course if it is determined that no overtime pay obligation exists for teaching said course(s) under the provisions of the Fair Labor Standards Act.
3. Prior to accepting the teaching assignments, the administrator must receive approval from the president or designee.

Adopted: January 22, 1987

Reaffirmed &/or Updated: November 20, 2015; September 10, 2009; January 2001





## J-095 STUDENT SUCCESS POLICY

The College shall provide a student success system of academic and student services that is coordinated, integrated and comprehensive. It will reflect the ideal that student success, which is measured by the degree to which students meet their stated goals, is the primary mission of the College and is an integral part of institutional quality.



## J-100 GENERAL STUDENT COMPLAINTS

### POLICY

In order to provide students with the opportunity to have any complaint or concern they encounter at Gateway heard and addressed, the college maintains informal and formal channels for student complaints. The college requires that students first use informal channels to seek resolutions by working directly with the parties involved. If resolution cannot be reached, formal channels are provided to reach prompt and fair resolution of complaints.

The college will not tolerate retaliation against any individual for filing a complaint in good faith in order to seek a resolution to a problem with the college or its employees or students.

### DEFINITIONS

1. For the purpose of this policy, a **student** is defined as an individual who is currently or has been enrolled in any Gateway course within a 12-month period prior to filing a complaint.
2. A **complaint** is a request for specific action to resolve a problem caused by the action or inaction of the college or its employees.
3. Expressions of dissatisfaction with the college's action or inaction, facilities, or services that do not include a request for action will be labeled as **concerns** and considered feedback. Concerns may or may not require follow-up by the college.
4. **Retaliation** is any adverse action or threat of adverse action against an individual because of the individual's good faith report of a complaint. **Good faith** means the individual has an honest and reasonable belief that college action is required to resolve a problem.

### PROCESSES

Several categories of student complaint have separate processes outside this policy with their own timelines and requirements:

1. [Academic concerns](#) (grades, classroom policies, etc.)
2. [Discrimination, harassment, and Title IX complaints](#)
3. Student account appeals - contact a Student Services Student Finance Specialist
4. [Behaviors of Concern](#)

All other student complaints follow this policy.

### PROCEDURE

1. **Informal complaint.** Students are required to make every effort to resolve their complaint informally by working directly with the employee or department involved. Students should communicate specifically what problem they are experiencing and what action they are requesting to resolve their issue. Students are encouraged to seek resolution as soon as possible after the unsatisfactory situation occurred. If the complaint is not resolved in a reasonable amount of time to the student's satisfaction, the student may move on to the formal complaint process. Students may not skip this step since most complaints can be resolved at this level.
2. **Formal complaint.** All formal student complaints are submitted electronically on the [Student Complaint form](#), which is located on the college website. Formal complaints must be filed within 12 months of the situation prompting the complaint. The following information is required:
  - a. **Identification of complaining party.** Students are asked to provide their name and Gateway ID number. Anonymous complaints will be considered; however, the college's



ability to investigate and resolve the complaint may be limited. For complaints on behalf of a group of students, all individuals seeking a specific action must be named.

- b. Category of complaint.** To assist in resolving complaints promptly, student should indicate the general nature of their issue: facilities/equipment, customer service, administration, employee conduct, student conduct, college services, or general/other.
- c. Description of problem.** Student should describe in detail the action or inaction of the college or its employees with which they are dissatisfied and the negative impact of the situation on the student. Names of parties involved, dates, and locations should be included whenever possible.
- d. Prior attempts to resolve.** Students must explain the prior attempts to resolve the problem at the informal level and why those attempts were unsuccessful.
- e. Outcome desired.** Students must state specifically the action they are requesting from the college that they consider an acceptable resolution of the problem.

Students will receive an acknowledgment of submission of the form and details of next steps. Students with disabilities may contact [Gateway's Disability Support Services](#) department for assistance with the complaint form.

- 3. Review and Resolution.** Formal complaints will be directed to the supervisor of the person or department involved unless the issue has already been addressed unsuccessfully at that level. In those cases, the complaint will be directed to the next higher supervisor. Supervisors will investigate complaint and respond promptly based on circumstances of the situation.
- 4. Appeal.** Students who are dissatisfied with the response to their formal complaint may appeal to the vice president of the division involved by submitting a student complaint appeal form within five working days of receiving the response. If the vice president was party to the unsatisfactory resolution of the formal complaint, the appeal may go to the president or his/her designee. The decision of the vice president or president/designee is final.
- 5. Complaint records.** Gateway has a federal obligation to maintain records of all student complaints including the name of the complaining party, the nature of the complaint, the resolution, any other related actions (appeals to outside agencies, etc.), and any institutional learning resulting from individual complaints or patterns of complaints. Records are retained for a minimum of ten years. Release of complaint records is subject to appropriate privacy laws. A summary of these records will be shared with the college's accreditor, the Higher Learning Commission, with names and personally identifiable information removed. Gateway requires only complaints that reach the formal written level to be included in these records. Supervisors may enter verbal complaints into the college's student complaint database at their discretion.



## J-101 STUDENT DUE PROCESS RIGHTS ACADEMIC CONCERNS

### POLICY

The Gateway District believes that students need a process to address academic concerns (i.e. grades, classroom policies) and bring their issues to the faculty and administration's attention. These procedures are intended to afford students, faculty, and the College fair and equal treatment. The student may seek guidance from an academic advisor or student support specialist, who will assist the student in understanding the process. All complaints must be filed within **one (1) year** of occurrence.

### PROCEDURE

- Step 1:** The student should first address a concern to the instructor. Students are encouraged to attempt to resolve the issue within the first thirty (30) days of the incident, through informal discussion with the appropriate faculty member.
- Step 2:** If the concern remains unresolved, the student may submit a Step 2 Academic Concern form, available on the Student Complaints and Concerns page of the Gateway website which identifies the specific concerns and desired outcomes. The supervisor will share the written complaint with the faculty member and request a written response. The supervisor will meet with the student and the instructor and respond, in writing. This may serve as Step 1 in certain circumstances.
- Step 3:** If the concern remains unresolved, the student may appeal to the executive vice president-academic affairs by submitting a Step 3 Academic Concern appeal form within five (5) working days of receiving the supervisor's decision. If it is determined that a review is appropriate, an appeals committee will be assigned to hear the concern within seven (7) working days of the request.
- a. The appeals committee selection is as follows:
    - 1) The executive vice president-academic affairs selects the following four (4) people: one (1) chairperson who will be an administrator, and three (3) faculty/staff members.
    - 2) The Campus United Student Government will select two (2) students from outside the student complainants' program area
    - 3) The student complainant will select one (1) peer from his/her program area.
  - b. The committee will make a recommendation to the executive vice president-academic affairs who will make a decision within five (5) working days of the committee hearing.
  - c. The decision of the executive vice president-academic affairs is final.



## J-110 ACADEMIC STANDARDS

### POLICY

Gateway Technical College has a policy which outlines the procedures that determine academic standards. **Decisions made regarding this policy may not violate a student's civil rights or equal access to education laws.**

### PROCEDURE

#### 1. Academic and Program Standards Progress

Academic and program standards are developed and are available to all students.

#### 2. Continuous Student Enrollment

Academic programs at Gateway undergo frequent changes to ensure programs are current with changes in content, technology, and accreditation criteria. Generally, students are allowed to graduate following the program curriculum sheet in place at the time of the student's initial program acceptance. because of frequent program changes and the length of time taken by students to meet graduation requirements, the following policies govern which curriculum sheet will be used to define a student's graduation requirements:

- a. The College does, after one (1) year of non-continuous enrollment, require the student to follow the most recent program curriculum in order to graduate.
- b. The College reserves the right to place a seven (7) year limitation on accepting courses for graduation. Some programs have more stringent age requirements for courses that are prerequisites to program courses.
- c. At any time, a student may elect to follow the most recent program curriculum.
- d. The College reserves the right to establish course substitutions to meet program curriculum requirements when courses are inactivated.





## J-111 STUDENT ATTENDANCE POLICY

### POLICY

1. Gateway Technical College recognizes the importance of attendance in the learning process but does not believe that attendance in and of itself constitutes learning.
2. Instructors will document in their course syllabi fair and reasonable attendance policies for their classes based on their subject matter, delivery methods, learning activities, student audience, external regulations, and employer expectations in their field of instruction. Each instructor's class policy will follow college and departmental guidelines.
3. Students are responsible for reading and understanding each class attendance policy and for learning any material covered during an absence.

### GUIDELINES

1. Students will not be penalized for hours missed prior to late enrollment in a class if they enroll under the regular late enrollment policy. Students are expected to begin attending immediately after such late enrollment.
2. Students may miss class without penalty to attend college-sponsored field trips, competitions, or other educational activities if pre-arranged with their instructors.
3. In cases of absence, students are expected to contact instructors and work with them during office hours or other mutually agreeable times so the students' learning may continue.
4. Students will be graded on attendance in accordance with college and departmental guidelines. The greatest portion of the course grade will be based on demonstration of the skills, knowledge, and behaviors that are the outcomes of the course. A lesser portion will be based on attendance and generally will not lower the final course grade more than one full letter.
5. Students with disputes related to instructors' attendance policies shall follow the Student Due Process procedures outlined in the student handbook.



## Gateway Technical College Student Active Duty Policy

### Policy:

This policy applies to students who are called to active U.S. military service while attending classes. This includes students that are temporarily activated for duty (including annual and/or monthly training), students that are being mobilized or deployed for an extended period of time, or that are being reassigned or transferred permanently.

1. If a student who is a member of a national guard or a member of a reserve unit of the U.S. armed forces withdraws from school after September 11, 2001, because he or she is called into state active duty or into active service with the U.S. armed forces, Gateway Technical College shall do the following:
  - a. Ensure that the student is provided a reasonable opportunity to complete final coursework for all courses in which the scheduled end date of the course is not more than 30 days after the date of the order calling the student into active duty or service
    - i. The student is required to contact their instructor to get permission to receive an incomplete
      1. Student and instructor should work together to determine an appropriate extension based on the class time missed due to leave, and the required paperwork to be completed
    - ii. There may be situations where Gateway Technical College will be unable to offer the incomplete/extension option (ex. Clinical or labs, nature of course content missed, or length of ordered leave). In these circumstances, the student would be eligible for option b (below).
  - b. At the student's request, do the following for all courses from which the student is unable to complete due to their military leave:
    - i. Remove 100% of tuition and fees for all courses and delete the courses from the student's record
    - ii. Give the student the same priority in registering for courses that the student would have had if he or she had registered for courses at the beginning of the registration period.
2. The Student Accounts Department Military & Veterans Education Benefit staff are responsible for presenting the student with the options available for each course (e.g. incomplete grade, deletion)
  - a. Students are not required to use the same option for all of their courses
  - b. Staff will also ensure the student understands the potential impact on their benefits and other funding



## J-114 ACADEMIC INTEGRITY

### POLICY

Academic integrity is submitting one's own work and properly acknowledging the contributions of others. Any violation of this principle constitutes academic dishonesty and is liable to result in a failing grade and disciplinary action. Gateway places the highest value on delivery a quality learning experience for all students. The learning experience requires trust between faculty and students, and adherence to standards of academic honesty and integrity. To avoid academic misconduct, it is important that students understand how it is defined and what is expected of students. It is also important that students know their rights when an allegation of academic misconduct is made. Every member of the college community has the right to expect that all students will be graded fairly, and every member of the college community has rights of due process if accused of academic misconduct.

**Academic Misconduct includes but is not limited to:** (These definitions apply to all academic work, including but not limited to all exams, essays, homework, performances, computer programs, projects, labs, tutoring, and the like.)

1. A student seeks to claim credit for the work or efforts of another without authorization or citation, i.e., plagiarism;
2. A student uses unauthorized materials (notes, calculators, etc.) in any academic exercise;
3. A student forges or falsifies academic documents or records;
4. A student provides examination questions or answers to another person or accepts examination questions or answers from another person;
5. A student copies the academic work of another student;
6. A student intentionally impedes or damages the academic work of another;
7. A student engages in conduct that misrepresents a student's academic performance;
8. A student assists another student in any of the acts described in this section; or,
9. Any member of the college community assists or collaborates with a student in any of the acts described in this section.

### Use of Artificial Intelligence (AI)

At Gateway, we acknowledge the growing use of Artificial Intelligence (AI) in various fields and for general use. While we encourage faculty and students to explore AI, we require that they adhere to this policy on the ethical use of this emerging technology.

1. Students must cite AI or include a note explaining how much and in what ways their work was AI-generated. For a formal citation, use the following format: AI Tool Name. (YYYY, Month DD of query). "Text of your query." Generated using AI. [www.AI.tool.url.com](http://www.AI.tool.url.com)
2. Students must check any AI content for accuracy and bias. Students are responsible for any inaccurate or biased information.
3. Students are responsible for producing quality work. Poor prompts and inadequate adaptation of AI-produced texts result in poor-quality work.
4. Students must not use AI to cheat or plagiarize by turning in an AI-generated text as original work. Students submitting an assignment using AI without proper disclosure constitutes academic misconduct.
5. Students must adhere to the instructor's policies on using AI-generated content in their work. Instructors may prohibit or limit the use of AI on specific assignments or projects.
6. It is the student's responsibility to save and keep the complete transcripts and conversations (recordkeeping) generated using AI. The instructor may request the information to evaluate an assignment.





## PROCEDURE

### 1. Procedures for Addressing Allegations of Academic Misconduct

- a. When an instructor suspects that a student or member of the college community has engaged in academic misconduct, the instructor will investigate the matter in a timely manner. The instructor will communicate the basis of his or her suspicion to the student and/or college member, if at all possible, to afford those individuals the opportunity to respond.
- b. If, as a result of this investigation, the instructor determines that no academic misconduct has occurred, the matter will be considered concluded.
- c. If, as a result of this investigation, the instructor determines that academic misconduct involving a student in his/her class has occurred, the instructor will apply sanctions as outlined in his/her syllabus. If a college employee is involved, that person's supervisor will be notified.
- d. The instructor will file a Maxient report on each occurrence (Maxient is a reporting system used to share and store information).



**2. Multiple Occurrences of Academic Misconduct**

- a. First confirmed occurrence will result in the sanctions specified in the instructor's syllabus.
- b. Subsequent occurrences of academic misconduct will follow the student code of conduct process (J-300).

**3. Appeals**

- a. Appeals of the instructor's resolution of the initial occurrence follow Policy J-101 Student Due Process Rights/Academic Concerns.
- b. Appeals of discipline for student code of conduct violations follow Policy J-300 Student Code of Conduct.



## J-120 GRADUATION REQUIREMENTS

### POLICY

The Gateway Technical College District has procedures that govern the graduation requirements for technical diplomas, associate degree programs, and advanced technical certificates.

### PROCEDURE

In order to graduate, a student must fulfill the following requirements:

1. All the course requirements on the official curriculum sheet the student is enrolled under must be completed successfully. Any course substitutions must be approved and documented in the student's record.
2. A minimum of twenty-five percent (25%) of the program credits must be earned at Gateway Technical College. Transfer credit and courses that were completed through the credit for prior learning process are not counted as credits earned at Gateway Technical College.
3. A minimum of twenty-five percent (25%) of the major course credits designated with an asterisk (\*) on the curriculum sheet must be earned at Gateway Technical College. Transfer credits and courses which were completed through the credit for prior learning process are not counted as credits earned at Gateway Technical College.
4. The following grade point average (GPA) requirements must be met:
  - a. Effective with the 2021-22 academic year, a cumulative GPA of 2.000 or above is required to graduate (2.000 on a four-point grading scale is a C).
  - b. A Major GPA of 2.000 or above is required.
5. Some programs required a grade of "C" (2.000) or above in some courses; refer to your curriculum sheet.
6. Individual programs may have additional requirements to meet accrediting agency requirements. Refer to the program curriculum sheet for additional graduation and grade point requirements.
7. It is the student's responsibility to check their degree audit prior to the last semester of study to ensure that all the requirements for graduation will be met. All requirements must be completed by the last day of the semester, including removal of incomplete grades and submission of transcripts with transfer credits. If students have questions related to graduation requirements, they should discuss with their academic advisor.

### COMPUTATION OF GPA FOR GRADUATION

1. Cumulative GPA
  - a. All associate degree and technical diploma level courses that a student has taken at Gateway are used to calculate this GPA. "General college" courses, developmental and remedial courses are not included in cumulative GPA.
  - c. This GPA appears on the transcript and program degree audit.



2. Program GPA – Only for curriculum catalog years prior to 2021-22
  - a. All courses on the program curriculum sheet are used to calculate this GPA
  - b. This GPA is used to determine graduation eligibility and graduation honors.
  - c. This GPA may also be used to determine other department or campus awards.
3. Major GPA
  - a. All courses that are designated with an asterisk (\*) on the program curriculum sheet are used to calculate this GPA
  - b. This GPA is used to determine graduation eligibility.
  - c. This GPA may also be used to determine other department or campus awards.

## **GRADUATION – POST-SECONDARY CREDENTIALS**

Students are automatically graduated at the next available graduation date from any associate degrees, technical diplomas or advanced technical certificates for which they have completed all program and graduation requirements. Graduation is processed at the end of each semester and the graduation dates are the last day of classes of the Summer, Fall and Spring Semesters.



## J-140 GRADUATION WITH HONORS

### **POLICY**

Students who complete an Associate Degree or Technical Diploma with a grade point average (GPA) of 3.750 or above or who complete 12 or more high honors credits in their program are recognized as honors graduates.

### **PROCEDURE**

1. The honors distinction is bestowed upon students attaining the grade point averages (GPA) listed below. For students graduating from programs with catalog years 2021-22 and later, cumulative GPA will be used. For students graduating from programs with catalog years prior to 2021-22, program GPA will be used.
  - a. District Honors: 3.750 - 3.899
  - b. President's Honors: 3.900 - 4.000
  - c. High Honors: A student who receives honors credit for 12 or more credits in their program will be recognized as a Provost's Honors graduate.
2. Honors for purposes of the graduation ceremony are determined by the student's program grade point average using grades posted to the transcript on or before March 15th. The final determination regarding official honors status is made at the end of the semester. The decision will be made when the final GPA is calculated and the Provost's Honors courses have been graded and reviewed. Official graduation honors will be recorded on the student's transcript and will display on the diploma after final graduation verification. The grade point average listed on the program degree audit is the official grade point average used to determine honors. Grade point averages are not rounded.





## J-150 USAGE OF COPYRIGHTED COMPUTER SOFTWARE/RESOURCES

### Purpose

Gateway Technical College acknowledges that computer software/resources and related documentation are subject to copyright laws. Usage of software requires valid and current licensing, and contractual agreements between the College and the software provider. The college will respect the ownership and licensing terms specified by the creators and licensors of such materials.

### Scope

This policy applies to all Gateway Technical College computer software/resources and users of these resources. Specifically, it includes:

- All employees, whether employed on a full-time, part-time, limited term, or casual employment basis by Gateway Technical College.
- All students, alumni, and other community members who have a reason to access Gateway Technical College systems.
- All contractors and third parties that work on behalf of Gateway Technical College who have a reason to access Gateway Technical College systems.
- All tenants and other third parties that work on behalf of tenants who have a reason to access Gateway Technical College systems.

### Definitions

**Copyright:** A form of intellectual property law, protects original works of authorship including literary, dramatic, musical, and artistic works, such as poetry, novels, movies, songs, computer software, and architecture.

**License Agreement:** A legal, written contract between two parties in which the property owner gives specific permissions to another party to use their product.

### Policy Statements

#### Copyrighted Computer Software/Resources

1. Gateway Technical College licenses the use of computer software/resources from a variety of companies and vendors. Gateway Technical College does not own these software packages or resources and consequently does not have the right to reproduce them unless explicitly specified in a contractual agreement.
2. Individuals using college computer software/resources must do so in accordance with the terms specified in the applicable license agreements. Examples of misuse might include using unlicensed software, sharing accounts among multiple users to access a single license, and using more licenses than the contract allows.
3. Employees of Gateway Technical College who learn of any misuse of software/resources within the College shall notify their immediate supervisor and the appropriate divisional vice president. Additionally, reports should be entered into the Maxient reporting system.
4. The creation, acquisition, distribution, or utilization of unauthorized copies of computer software/resources is strictly prohibited.

### Non-Compliance



Violations of this policy should be communicated using the Maxient reporting system. Sanctions for non-compliance may include, but are not limited to, one or more of the following:

1. Temporary or permanent revocation of network, system, and/or email access.
2. Disciplinary action according to applicable Gateway Technical College policies.
3. Separation or termination of employment.
4. Legal action according to applicable laws and contractual agreements.

Reviewed 5/20/24



## J-160 VISITORS AND GUEST SPEAKERS IN CLASSROOMS

### **POLICY**

1. Visitors and guest speakers shall be permitted to visit classes offered by the Gateway District with prior consent of the instructor. Consent and permission for visitors will be granted only for the purpose of becoming knowledgeable about a course or oriented to the educational mission of the Gateway District.
2. Students are not allowed to bring a child or children to a class. Furthermore, students, visitors, or guest speakers are prohibited from leaving a child under the age of sixteen (16) years unattended in Gateway District facilities. Greater restrictions may apply in computer labs, T&I labs or other areas of the college that may be restricted to students only or are unsafe.

### **PROCEDURE**

1. If students wish to bring visitors to class, they are required to get permission from the faculty member prior to the class meeting(s) in question.
2. Faculty have the right to refuse visitors in class.
3. If a child under the age of sixteen (16) is found unattended on Gateway property, it shall be reported to campus security.



## J-170 STUDENT RELIGIOUS ACCOMMODATIONS

### **POLICY**

In compliance with Wisconsin Administrative Code, the Civil Rights Act of 1964, and Title IV, Gateway Technical College will make reasonable accommodation of a student's religious beliefs.

A student may request reasonable accommodation from his/her instructor with regard to examinations and other academic requirements. The student request must be in writing and submitted to the instructor five (5) working days prior to the date(s) of the anticipated absence.

Instructors will provide a means by which a student can perform the make-up examination or other academic requirements in a timely manner without penalty. Should the student deem the accommodation unreasonable, the student should contact the Dean of the appropriate school/division.

If the student is still unsatisfied with the accommodation, the student may contact the Office for Equal Opportunity and Civil Rights at 262-564-3062.



## J-180 SCHOOL ADMISSIONS

### POLICY

1. The Gateway District provides an equitable, systematic process for admitting individuals which is consistent with Chapters 38 and 118 of the Wisconsin Statutes and TCS 10 of the Wisconsin Administrative Code that govern the Wisconsin Technical College System. Applications and related materials are reviewed and processed on a first come, first served basis.
2. The laws pertaining to Family Educational Rights and Privacy Act (FERPA) rights begin at the time of course registration.

### PROCEDURE

#### 1. Student Types

##### a. Declared Students

Individuals who have applied to a specific postsecondary program or programs (limit 3 per student) with the intent of completing and graduating from the program(s). Application, application fee, official transcripts from high school or equivalent credential, placement testing, and any other identified admission requirements must be completed for admission into a program.

##### b. Undeclared Students

Individuals who are degree seeking but are uncertain of their program choice.

##### c. Guest Students

Individuals who are pursuing degrees at another college who wish to register for a course(s) at Gateway for transfer to their home college. Guest students must complete the Guest Student application and demonstrate that they meet course prerequisites either through receipt of official transcript from their home college, official ACT/SAT scores, or signature of their home college's advisor.

##### d. Non-Degree Seeking Students

Individuals who are non-degree seeking but who wish enroll in courses for reasons other than earning a degree. Students with this status may not enroll until the open registration window and must also have all pre-requisites including placement testing completed prior to enrolling in a class.

#### 2. Admission Into Postsecondary Educational Programs

Students applying to Gateway will be allowed to pursue a maximum of three post-secondary programs unless approval from the program dean(s) is granted. One-course programs, ATC's, and internal certificates are excluded from this policy.

##### a. **To be accepted to an Associate Degree or Technical Diploma program, applicants must:**

- 1) Submit a completed Application for Admission and submit appropriate application fee;
- 2) Submit official high school or equivalent transcript.
- 3) Submit documentation as required by the program. Examples may include but are not limited to a Background Information Disclosure or verification of other certification.
- 4) Take Gateway Technical College's placement test. Gateway also accepts ACT, SAT, and Accuplacer results taken elsewhere if the testing was completed within the last three years.

##### b. **To be accepted to an Advanced Technical Certificate program, applicants must:**

- 1) Submit a completed Application for Admission; there is no application fee.
- 2) Submit official post-secondary transcripts verifying completion of a related Associate Degree or equivalent.
- 3) Other documentation that may be required by the ATC.



### 3. **Acceptance Statuses**

#### a. **Full Acceptance Status**

For Individuals who have met all program admission requirements, and for whom remediation is not recommended based on placement test results.

#### b. **Remedial Acceptance Status**

For individuals who have met all program admission requirements and for whom one or more placement scores indicate remediation is required.

#### c. **Conditional Acceptance Status**

For programs requiring a high school diploma or GED for admission, a conditional acceptance may apply for students in the last semester of their high school program or the last half of their GED testing. Conditionally accepted students may register with newly accepted student for their first semester at Gateway. The receipt of official verification of the secondary credential or equivalent must be met prior to the start of the student's second semester. Students accepted conditionally are not eligible for Financial Aid until the semester following the date Gateway has received official verification of completion of the secondary credential.

### 4. **Admission of High School Age Students**

#### a. **Compulsory Attendance for - At Risk Students (118.15)**

Gateway complies with Wis. Stat. Sec. 118.15.

#### b. **Voluntary Attendance of Youth Sixteen (16) Years or Older**

Any child who is the age of sixteen (16) years or older is eligible to apply to a Gateway post-secondary program if all of the following apply:

- 1) Gateway agrees to admit the individual.
- 2) The individual satisfies the other requirements for admission under s.38.22 (1), Technical College Admission Requirements.
- 3) The individual has the written permission of his or her parents or legal guardian.
- 4) The individual will not be attending Gateway during the hours of normal school day established under s. 119.18 (7) or 120.12 (15).
- 5) The attendance is not a fulfillment of the child's compulsory school attendance requirement.
- 6) The student attends at the regular tuition rate charged adult students.
- 7) Individuals taking course(s) solely for Gateway program credit shall pay their own tuition and fees, books, and other associated costs.

#### c. **Home Schooled Students**

Any child who is under a Home School agreement with the Wisconsin Department of Public Instruction and requests educational services from Gateway shall first seek assistance from the public school system. Home Schooled students may attend Gateway at the regular tuition rate charged adult students, provided the attendance is not a fulfillment of their Home School attendance requirements.

#### d. **Youth Options & Career Options Program**

Any public school child may enroll at Gateway for the purpose of taking one or more courses if they satisfy the following:

- 1) The pupil has completed 10<sup>th</sup> grade
- 2) The pupil is not defined as At Risk
- 3) The pupil is not attending Gateway under section Compulsory attendance
- 4) The pupil has the written approval of the pupil's parent or guardian
- 5) The pupil has notified the school District of his or her intent to attend Gateway Technical College as outlined in 118.55 (7r).
  - a) The child pupil shall be admitted in the Gateway course(s) if he or she meets the requirements and/or pre-requisites of the course, and if space is available only after admitting to the course all individuals applying for admission to the course.



- b) After Gateway admits the child, the secondary school board shall be notified in writing within thirty (30) days after the course(s) begins. If the child is approved for high school and Gateway program credit, Gateway shall charge the secondary school board the actual cost of resident tuition, course fees, and books...The payment for Youth Options students with a disability attending Gateway shall be adjusted to reflect the cost of any special services required for the pupil.

## 5. **Readmission of Students Activated for Military Service**

### a. **Reentry into Program**

Students who are forced to withdraw from their educational program to serve in the military due to a national crisis shall be readmitted to the interrupted program.

### b. **Waiting Lists**

Returning students who were forced to withdraw from their educational program to serve in the military due to a national crisis who were on a program waiting list are guaranteed their original position on the list.

Adopted: March 24, 2014

Supersedes: February 19, 2007, January 23, 2006, August 26, 3005, January 2001

Reaffirmed &/or Updated: May 21, 2009



## J-181 RECOGNITION OF SECONDARY SCHOOL EDUCATION PROGRAMS

### POLICY

1. Per direction from the Federal Department of Education, Gateway is required, through systematic review and evaluation, and information from, but not limited to, the Federal and States' Department of Education, ensures that applicants' high school transcripts are valid and obtained from an entity that provides rigorous secondary school education [34 CFR 668.16(p)].
2. The Federal Department of Education required home-schooled students must verify that they have completed the equivalent of high school by submitting a secondary school completion credential for home school as required by their home-schooled/high school state law (other than a high school diploma or its recognized equivalent). If the state in which they were home-schooled does not require the student to obtain a secondary school completion credential (other than a high school diploma or its recognized equivalent), a transcript or the equivalent, signed by the student's parent or guardian, that lists the secondary school courses the student completed and documents the successful completion of a secondary school education in a home-school setting.
3. Transcripts and credentials from countries other than the United States must be accompanied by an official general evaluation from a recognized educational evaluation service.

### PROCEDURE

In evaluating high school transcripts, Gateway will follow the outlined procedure.

1. The Admissions Office will review all transcripts coming into the office for validity.
2. Institutions that are identified in our student information system as legitimate high schools and recognized by the High School's State Department of Education as legitimate will continue to be treated as legitimate. Students previously accepted with a High School credential that is not recognized or accredited may still be admitted using that transcript, however, that credential will not be used to meet Ability to Benefit (ATB) for financial aid.
3. As new high schools are identified as legitimate, they will be added to the student information system and identified as 'recognized'.
4. Secondary programs not determined to be legitimate will be added and identified in the student information system as 'unrecognized'.

#### Determining High School Validity

When determining a high school's validity, rigor and make up of curriculum is the determining factor. The procedures are as follows:

1. Check the Federal Department of Education's website. High schools on this website will be considered valid.
2. Check the school's State Department of Education website. In most cases, these will be considered acceptable.
3. If a high school not found at either the Federal or State Departments of Education, staff will review Institutional Validity and Accrediting Agency Validity for signs of 'diploma mill' programming (see below).
4. Applicants who submit transcripts from 'diploma mills' will be redirected to our Adult High School, GED, and HSED programs.

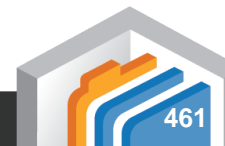






## Other Situations Involving High School Records:

1. High School Closures: Students whose high school has closed may seek assistance from the Admissions Office in locating where their official school records are maintained. If the location of school records cannot be located, students can complete a statement of self-certification of completion along with information from that State's Department of Education confirming the records are no longer maintained. The self-certification must include the student's name at the time of attendance, name of the school attended and its city and state, the dates of attendance, confirmation of completion of the program, graduation date, and student's printed name, signature and date.
2. Natural Disasters: Students who do not have access to their United States high school transcripts due to unique circumstances (e.g. natural disaster) can complete a statement of self-certification of completion along with information from that state's Department of Education confirming the records are destroyed.
  - a. The self-certification must include the following:
    - 1) Student's name at the time of attendance,
    - 2) Name of the school attended,
    - 3) The city and state of the school,
    - 4) Dates of attendance,
    - 5) Date of completion of the program (graduation date), and
    - 6) The student's printed name, signature and date.
  - b. The Admissions Office will verify that the record is unattainable for both school closures and natural disasters.
3. Foreign High Schools: High School transcripts from other countries are recognized if the foreign credential is equivalent to completing a secondary education in the United States. The evaluations must be sent directly from the evaluating service to Gateway. In those cases where a student's foreign diploma/transcript is not the equivalent of completing a secondary education in the United States, the student will be referred to Gateway's GED, HSED, or Adult High School programs.
4. Charter Schools
  - a. Schools that receive public money (and may also receive private donations) but are not subject to some of the rules, regulations, and statutes that apply to other public schools in exchange for some type of accountability for producing certain results. While charter schools provide an alternative to other public schools, they are part of the public education system and are not allowed to charge tuition. Some charter schools provide a curriculum that specializes in a certain field - e.g. arts, mathematics, or vocational training. Others attempt to provide a better and more efficient general education than nearby public schools. Charter school students take state-mandated exams.
  - b. State authorized charters (schools not chartered by local school districts) are often established by non-profit groups, universities, and some government entities. Additionally, school districts sometimes permit corporations to manage chains of charter schools. The schools themselves are still non-profit, in the same way that public schools may be managed by a for-profit corporation. Corporate management does not affect the status of a school.
  - c. Charter schools should be listed on the State's Department of Education web site.
5. Home-Schooling: Home schooled students shall provide An official copy of their secondary credential if required by the state in which home-schooling occurred. See <http://www.statelocalgov.net/50states-educaatioon.cfm> for state requirements. If the state does not require it, a transcript of their home-schooling including a list of secondary school courses the student completed and the documents the successful completion (graduation) of a secondary school education in a home-schooling setting.





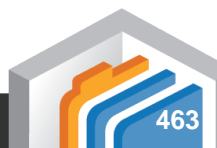
6. Accrediting Agency Validity: If the high school indicates accreditation, the accrediting agency must be an approved one on the Federal Department of Education Recognized Accreditation list and the school must be listed on the accrediting agency's web site. If unsure of the school's accrediting agency's legitimacy, look at some of the other school's the agency has accredited and compare them to the institution criteria above.  
For more information see:
  - a. <http://www.chea.org/degreetmills/default.htm>
  - b. <http://www.chea.org/search/default.asp>
  - c. <http://www2.ed.gov/admins/finaid/accred/accreditation> pg13.html
7. Unrecognized and Fake Agencies for Online Accreditation: Gateway utilizes federal and state Department of Education distance learning accrediting agencies that claim to oversee a variety of online college and university degree programs, most 'accredit' diploma mills or degree mills.
8. Accreditation and Quality Assurance: Diploma Mills and Fraud:  
<http://www.ed.gov/international/usnei/us/fraud.doc>
  - a. The existence of unaccredited, substandard, and fraudulent postsecondary education providers is a global phenomenon. As is the existence of unrecognized and/or fraudulent accreditors. It is imperative that students interested in quality postsecondary education focus on institutions that are accredited by recognized national competent authorities such as recognized accrediting agencies. Unaccredited institutions and institutions claimed recognition by bogus accrediting agencies should be avoided. The credits and degrees awarded by unaccredited and bogus providers are unlikely to be recognized by legitimately accredited institutions, official professional licensing authorities, recognition authorities or reputable employers.
  - b. For recognized U.S. institutions of higher education and postsecondary career and technical schools, go to Institutions and Programs.
9. Resources:
  - a. The following resources can help you to avoid substandard and unaccredited institutions, unrecognized accrediting bodies, and academic frauds that have been or are being investigated and prosecuted.
  - b. STATE, FEDERAL, and INTERNATIONAL INFORMATION RESOURCES: Gateway utilizes a variety of resources to ensure educational legitimacy, including the following:
    - 1) Diploma Mills and Accreditation is the U.S. Department of Education's overview and guide to how to recognize fraudulent institutions and accrediting bodies.
    - 2) Scholarship Scams is the U.S. Federal Trade Commission's guide to avoiding fake offers of student financial assistance.
    - 3) GAO Reports on Diploma Mills provides links to reports on diploma mills issued by the U.S. General Accountability Office (GAO), the investigation and auditing agency of the U.S. Congress that has examined how the diploma mill problem affects both U.S. citizens and the federal government.
    - 4) Individual State Department of Education, Commerce, and Consumer Affairs
    - 5) AODA Accreditation Page provides information and a list of accrediting agencies known to be unrecognized and/or fraudulent.
    - 6) UNESCO Disclaimer
    - 7) Council of Europe (COE) Disclaimer





- 8) CHEA Degree Mills Page Council on Higher Education Accreditation (CHEA)
- 9) EAIE Diploma Mills Presentation
- 10) School-Level Accreditation
- 11) Postsecondary Accreditation
- 12) Federal Recognition and Approval
- 13) State Approval and Licensure
- 14) Other Quality Assurance Provisions

Adopted: March 24, 2014  
Supersedes: July 16, 2012





## J-182 PLACEMENT TESTING & RETESTING

### POLICY

#### 1. Testing

All individuals applying for admission to Gateway's postsecondary educational programs must take a mandatory writing, reading, math assessment to assist in their appropriate placement in coursework as required by their program. All applicants must meet the current placement test requirements.

#### 2. Writing Reading, and Math Assessments

Applicants meeting one of the following conditions may be exempt from placement testing, either in whole or in part, for admission to a program of study:

- a. The applicant has ACT, SAT, COMPASS, ASSET, or Accuplacer scores in the required testing areas that are no more than twelve (12) years old. If the assessment was taken at another college, an official score report must be received before the exemption from testing can be granted. Applicants will be placed in courses according to the submitted test results. Official test score reports are those that come directly from the testing organization or the school's testing printout. Hand written copies are not accepted.
- b. The applicant has successfully completed related Gateway postsecondary coursework or related transferable college coursework as demonstrated on an official transcript that fulfills the program requirement(s) with a grade 'C' or better (2.0 on a 4.0 scale).
- c. Applicants who have earned a Technical diploma or higher will not be required to test for program admission and will receive College level course placement. An official transcript from the degree-granting college is required. However, placement testing may be necessary based on required course prerequisites within the Gateway degree program. Consult with your Academic Advisor for clarification of prerequisites for specific courses.
- d. Applicants who have earned twelve (12) or more college credits with a 2.0 (on a 4.0 scale) cumulative grade point average (GPA) will not be required to test for program admission and will receive College level course placement. An official transcript from the college is required.
- e. Applicants who have earned a 2.60 (on a 4.0 scale) or higher cumulative High School GPA (end of junior year or higher) will not be required to test and will receive College level course placement. An official high school transcript is required.
- f. Individuals not seeking program admission who wish to take a college course or courses may be required to take a placement test for classes with a placement score prerequisite.
- g. When learners with documents disabilities are required to test, reasonable accommodations will be provided pursuant to state and federal regulations.

#### NOTE:

Official transcripts are defined as transcripts sent directly to Gateway from the issuing school. Transcripts may be hand-delivered by the student if the transcripts remain unopened in the issuing school's sealed envelope. All official transcripts must have the issuing school's raised seal or security paper, and appropriate official's signature to be accepted.



### **3. Placement Exam Retesting**

- a. For the Reading, Writing and Math assessments, retesting is allowed based on the general principle that retesting is appropriate when there is a substantial reason to believe that current scores are not indicative of an examinee's current level of knowledge and skill.
- b. Retesting Timelines:
  - 1) Under no circumstance will an additional test experience be given on the same day as the original test.
  - 2) An examinee has up to two (2) attempts per rolling calendar year.

### **4. Spanish Placement Exam**

The Spanish Placement Exam is a Credit for Prior Learning opportunity giving those students with prior Spanish language experience the ability to start at an appropriate course level based on their current skills. Students wishing to take the Spanish Placement Exam must meet eligibility requirements set forth for Credit for Prior Learning exams. The Spanish Placement Exam is not required for those students wishing to start at the entry level Spanish course.

### **5. Spanish Placement Exam Retesting**

- a. No retests will be allowed for this assessment unless one of the following occurred:
  - 1) Technical difficulties (such as power, computer, or network issues).
  - 2) Test session was interrupted (such as emergency evacuation or fire drill).
  - 3) Test scores are older than one (1) year.

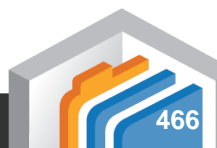


## J-185 STUDENT BACKGROUND CHECKS

### **POLICY**

1. Gateway Technical College, in accordance with clinical partner agreements, required background checks screening of applicants and students in programs where students will interact directly or indirectly with vulnerable populations. Students are required to use the college's identified third party provider of background checks. Gateway does not accept background check results from other sources.
2. Applicants whose background check results prohibit them from participating in the identified program or who do not fully disclose all pertinent information on an Background Information Disclosure form, will not be accepted to the program. Students who were previously accepted but who now have criminal charges preventing them from program participation, or who do not fully disclose all pertinent information, will be administratively dropped from program courses and withdrawn from the program.

Adopted: March 24, 2014





## J-190 ENROLLMENT

### POLICY

1. Students will be considered enrolled in a class upon registration. Students will make a payment arrangement at the time of registration. A payment arrangement includes:
  - a. they have paid the required tuition and fees, or
  - b. they have entered into a standardized payment plan agreement with the District, or
  - c. they have a financial aid award or have a third-party payor authorization/contract on file with Gateway guaranteeing payment of the tuition and fees.
2. Students who have an outstanding debt of more than \$500 with the college will not be allowed to register for any additional classes until the debt has been satisfied and/or discharged unless they have a 3<sup>rd</sup> party authorization on file with payment of 95% or more by the authorized agency or financial aid with 95% or more funding and a formal payment plan for the outstanding debt. Students who believe they should not be held responsible for charges to their account due to extenuating circumstances, must follow Student Account Appeals Procedures.
3. This policy will be effective to debts incurred after January 1, 1992.



## J-200 INTERNATIONAL EDUCATION

### **POLICY**

The Gateway District recognizes that businesses and industries within the District compete in a global economy. Therefore, it is important for the college to provide opportunities for our students and staff to gain the competencies and skills needed for success in a globally connected world.

International programs or services offered by the District shall ensure that they:

1. Provide significant benefits to students, staff, and employers.
2. Progress toward an international component in every program.
3. Are at least partially project or service learning focused.

### **PROCEDURE**

The District's Curriculum Development Committee process will be used to review District programs to ensure that the international education component is present and relevant.

1. The International Education Advisory committee will be the 'program advisory' committee for curriculum purposes.
2. International education projects outside the normal curriculum process will be reviewed and approved by the executive vice president/provost.





## J-210 INTERNATIONAL STUDENTS

### POLICY

Priority for admission to Gateway Technical College is given to Wisconsin residents. Enrollment of international students in the educational programs at Gateway will be based upon space availability unless there is a Contract for Service (Policy C-150), which provides for completely dedicated courses at full cost recovery. The conditions for admission are:

1. Enrollment in a technical diploma or associate degree program deemed eligible for International students by the college. Ineligible programs include Aeronautics/Pilot Training and programs with a waiting period or waiting list.
2. Verification of two semesters of financial resources covering the cost of education.
3. Completion of all necessary International Student Admission requirements.
4. If transferring, demonstration of good academic standing good conduct, and have no debt at the sending institution(s).
5. Meets the minimum standardized English language test score requirement to enable the student to profit from instruction. This may be waived if the student is from an English-speaking country.

### PROCEDURE

An international student seeking to be admitted to Gateway Technical College shall:

1. Submit a completed WTCS application with application fee.
2. Complete International Student admission documents.
  - a. Certification of Finances - verification of available funds equal to two semesters of education expenses.
  - b. International Student Questionnaire/Emergency Contact form
  - c. Transfer Clearance form if applicable
3. Provide one of the following official English language test results with the following minimum scores:
  - a. TOEFL: 500+ (paper) 180 (CBT), 64 (IBT),
  - b. IELTS: 5.5,
4. Submit official, evaluation of high school and/or college transcripts if applicable. The evaluation must be from a recognized educational evaluation service.
5. Make a deposit equal to one (1) semester non-resident tuition established by the State Board for the program in which he/she wishes to be enrolled. Exceptions to the one (1) semester deposit are:
  - a. Students attending under Section 38.14(3) of the Wisconsin Statutes where Gateway has entered into a contract for service with a foreign government or business not operating in Wisconsin.
  - b. Students qualifying as eligible for Non-Resident Fee Remission.
    - 1) Those enrolling under Administrative Bulletin 04-03, Exchange Agreements with Foreign Educational Institutions.
    - 2) Those who meet the requirements to qualify as Needy and Worthy under Administrative Bulletin AB 04-02.
6. Upon completion of all above admission requirements, an I-20 will be issued to the student.
7. When the student arrives, he/she will be required to submit a copy of his/her visa, take the placement test, and complete an Agreement of Attendance and Program Completion.

Adopted: August 26, 2013

Supersedes: August 17, 2009, February 19, 2007; January 2001; April 22, 1993



## J-215 RESIDENCY DETERMINATION POLICY

### POLICY

1. Gateway Technical College District will determine whether students are Wisconsin and Gateway Technical College District residents eligible for in-state tuition and priority program selection per Administrative Code TCS 10.03. This policy is applicable to all courses whether credit, non-credit, or Adult Basic Education.
2. Any person who is a resident of the state or District at the beginning of any semester for which the person makes application or enrolls, is a resident of the state for admission and fee purposes. Conversely, an individual who is not a resident at the beginning of a semester is not considered a resident for admission or fee purposes.

### PROCEDURE

1. Determination of Wisconsin residency is based on where the student holds permanent residence.
2. Students must demonstrate the intent to permanently reside in Wisconsin. Individuals may not be considered residents if their purpose of residing in Wisconsin is for educational purposes. A person who enters and remains in the state principally to obtain an education is presumed to continue to reside outside this state. The presumption continues in effect until rebutted by clear and convincing evidence of residence in the state.
3. A visa is a permit issued to foreigners to enter the United States (US) for a specified period of time with the intent of returning to their home country. Therefore, students on visas are not considered Wisconsin or District residents for tuition or program selection purposes. Exceptions are made for those married to a US citizen, here as a refugee, or as an asylum seeker. Documentation of these circumstances through the completion of the Gateway Residency Determination form is required.
4. Naturalized citizens, legal permanent residents, or applicants for permanent residency are considered US residents for tuition and admission purposes. This does not, however, preclude them from having to provide verification of their Wisconsin residency as it pertains to other states.
5. Undocumented applicants or students are considered in-state or in-District residents if they have lived in Wisconsin continuously for the last three (3) years or longer, have graduated from a Wisconsin high school or GED/HSED program, and have applied or will apply for permanent residency. Individuals who cannot affirm that all three (3) criteria apply are not considered Wisconsin or District residents.
6. The burden of proof of residency resides with the student.
7. Incomplete forms verifying residency will not be accepted. Questions that do not apply to the student must be answered with "none" or "N/A". For example, a student who did not attend high school would not be allowed to leave the question blank, but would need to add a response that would indicate the question was considered and not skipped over.
8. Possible indicators which may require further investigation of non-residency may include but is not limited to:
  - a. Out of state residence information on the application or registration form.
  - b. Photo identification that has an out-of-state address listed.
  - c. Secondary or post-secondary transcripts from a foreign institution or attendance at a foreign institution listed on the application or registration form.





- d. Secondary or post-secondary transcripts from an out-of-state institution or attendance to an out-of-state institution on the application or registration form where the latest date of attendance is within one (1) year of the date of application or registration at Gateway.
  - e. Other circumstances that warrant residency determination will be pursued on a case by case basis.
- 9. When conflicting information regarding a student's permanent residence is provided, his/her electronic record will be marked out-of-state. If the student wishes to pursue in District and/or state residency status, he or she may complete and submit the Wisconsin/Gateway District Residency Determination form along with supporting documentation to the Admissions Office.
  - 10. When residency verification is required for program admission, supporting documentation confirming District and state residences will be required if the address on application materials (excluding transcripts) is different from that in the student system or place of residence cannot be determined solely by the completed form.
  - 11. Applicants or students attending Gateway under a reciprocal or cooperative agreement are not considered District or state residents for admission or program selection. Their rate of tuition, however, is that of a Wisconsin resident as specified in the agreements.
  - 12. Appeals to the initial residency decision may be made in writing to the Admissions Office. After review, the student will be notified of the decision in writing. The student's electronic record and fees, when applicable, will be adjusted accordingly.
  - 13. Students proved to be misrepresenting their Wisconsin and/or District residency information will be suspended from Gateway Technical College and immediately billed for any applicable out-of-state fees owed while in attendance at Gateway.

Adopted: August 17, 2009  
Supersedes: December 15, 2003



## J-216 Prior Debt Forgiveness

### Policy

In order to increase access and degree completion for students re-entering the college, Gateway offers a prior debt forgiveness program for qualified students to reduce this financial barrier to student success. The college uses funds provided by outside donors to provide offsetting grants to forgive up to \$1500 in unpaid prior student debt.

### Procedures

1. Eligibility. Students wishing to apply for debt forgiveness must meet all of the following criteria. The student must
  - a. Owe no more than \$1500 in total unpaid prior debt incurred within the 6 years prior to reentry
  - b. Not have attended Gateway Technical College for a minimum of three semesters after the debt was incurred
  - c. Have no earned associate degree from Gateway
  - d. Have a minimum of 9 earned credits
  - e. Apply and be accepted into a financial aid-eligible Gateway program
  - f. Complete FAFSA and all required documents for the academic year of reentry (Financial aid award is not required.)
2. Application and program entry. Students will complete an application confirming eligibility.
  - a. Applications are reviewed and approved by the Director of Student Accounts in consultation with the Director of Financial Aid.
  - b. Upon approval, student's debt will be removed from collections. If the student loses eligibility (see paragraph 3b), any unforgiven prior debt balance will be returned to collections.
  - c. The student must enroll in at least six postsecondary credits per semester unless fewer are required to complete their program.
  - d. The student must complete the Gateway to Success course or an identified financial literacy activity during his/her first semester.
3. Debt Forgiveness Process.
  - a. One-third of the student's remaining prior debt is forgiven at the end of each of three consecutive semesters by applying an offsetting grant.
  - b. The student must have at least 6 earned credits and a 2.0 cumulative gpa at the end of each semester in order for their account to be credited. The student must complete FAFSA and required documents for each academic year to remain eligible for the grant.



- c. Students who graduate in fewer than three semesters will have the balance of their debt forgiven at the end of their final semester provided they maintain a 2.0 cumulative gpa.
- d. New debt incurred after acceptance into the program is not eligible for forgiveness.
- 4. Students who encounter extenuating circumstances that might cause them to lose eligibility should work with a student finance specialist.
- 5. The Director of Student Accounts and the Director of Financial Aid may approve a one-time, one-semester break in enrollment without loss of eligibility, upon recommendation of a student finance specialist. Approval must be requested prior to the start of the semester.

\*This current revision supersedes previous revisions of this document.



## J-217 INSTITUTIONAL AND EMPLOYEE RELATIONSHIPS WITH EDUCATIONAL LOAN LENDERS

### **POLICY**

1. Students and their families increasingly rely on loans to finance a college education. As a result, Gateway Technical College (Gateway) employees have more frequent interactions with educational loan lenders. In addition, because of the increasing numbers and complexities of the loans, GATEWAY employees are often asked by students and their families to provide assistance with regard to their financial decisions.
2. Gateway employees are committed to providing that assistance in an objective, fair, clear, and understandable manner. In order to assure students, their families, and the public that Gateway and its employees continue to serve the students' best interests, Gateway will comply with all federal and state laws pertaining to the administration of financial aid in addition to the following regarding the relationship between Gateway and educational loan lenders.

### **PROCEDURE**

#### **1. Lender Lists**

- a. The District may maintain a lists, either in print or other media, of educational loan lenders for the benefit of students, subject to the following:
- b. The District will use an evaluative process for the inclusion of lenders on the list; information regarding the selection of lenders, the evaluative process used, and the criteria used for such selection will be available to the public upon request;
- c. Any District lender list must be accompanied by a statement explaining that students are not limited to the lenders included on the list;
- d. A lender list must include a minimum of three lenders; and
- e. The District will work with the educational loan lenders on the list to ensure that specific loan information and key details ( including, but not limited by enumeration to, the terms, interest rate, and repayment requirements) are available from the lender in a clear and understandable manner.

#### **2. Consumer Information**

The District will inform students who apply for financial aid of the following:

- a. That the student may use any lender who is eligible to make education loans when selecting a lender for a private or alternative student loan.
- b. That the student must use the guarantee agency selected by Dept of Education to make education loans when pursuing a Federal Direct Student Loan.
- c. That federal and state government loans are available and provide comparative information on private and government loans.
- d. That students are encouraged to explore and weigh the use of federal loans that are guaranteed, regulated, and may be more advantageous, before pursuing private or alternative loans.

#### **3. Allowed Services and Resources**

The District and its employees are allowed to receive the following services and resources from educational loan lenders:

- a. Counseling and educational materials for use by students and their families regarding student lending laws, education loans, financial literacy, debt management and other topics relevant to providing students and their families with financial aid assistance; any such materials must clearly disclose the source of said materials and may not use trademarks, logos, mascots or other symbols associated with the District or that would suggest any District endorsement of the lender or product.

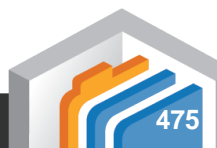


- b. Training to District employees regarding student lending laws, education loans, financial literacy, debt management and other topics relevant to providing students and their families with financial aid.

#### 4. **Prohibitions on the Gateway District and its Employees**

Gateway and its employees are prohibited from the following:

- a. To solicit, accept, or enter into any agreement in which an educational loan lender provides fees, revenue sharing or material benefits to the District institution in exchange for the institution or its employees recommending the lender or its loan products.
- b. To enter into an agreement with a lender of education loans for, or solicit or accept from a lender of education loans, any funds that would be allocated or used for opportunity loan pools or any similar arrangements.
- c. To solicit or accept assistance for call center or financial aid staffing from a lender of education loans.
- d. To solicit, accept, or enter into any agreement in violation of the District policy on student financial aid operations and may not engage in conduct that violates the District code of ethics under TCS 6.06(1), Wis. Adm. Code., or any applicable provisions of Wis. Stats. §19.41, et seq., Code of Ethics for Public Officials and Employees.
- e. To receive compensation or reimbursement from an educational loan lender for any costs incurred as part of participating on an advisory council of the lender
- f. District employees are allowed to participate on an advisory council of an educational loan lender for the purpose of improving services to students as long as they do not accept compensation or reimbursement from the lender for any costs incurred for participating on the advisory council.





## J-218 FINANCIAL AID OVERPAYMENT

### **POLICY**

Gateway will administer federal financial aid programs in compliance with all federal regulations and ensure that any errors in payment are resolved in a manner that holds liable the party responsible for the overpayment.

### **PROCEDURE**

1. In the event that Gateway errors in a Financial Aid disbursement which results in an overpayment to a student, Gateway will correct the error and repay funds to the appropriate source(s) within the federally mandated period of time, per Federal Student Aid Handbook, Vol. 5, Chapter 1.
2. Student debts incurred as a result of the return of financial aid as stated above may be waived by the Executive Vice President of Student Affairs. If not waived, the debt is the responsibility of the student to repay to the college.





## J-220 CREDIT FOR PRIOR LEARNING (PRIOR LEARNING ASSESSMENT) POLICY

### POLICY

Gateway Technical College provides opportunities for students to be awarded credit for prior learning (CFPL) which occurred outside the classroom. Prior learning assessment (PLA) is the process of faculty evaluation of student learning obtained through sources other than college-level coursework. Students may earn academic credit in designated college course if they have learning that can be assessed to be of college level and equivalent to a course(s) offered at Gateway. The following standards apply to the prior learning assessment process:

- 1) The prior learning assessment process is available only to students who are accepted into a postsecondary program at Gateway e.g. associate degree, technical diploma, certificate, or apprenticeship program. Students must be actively enrolled and pursuing a credential from Gateway Technical College.
- 2) No more than 75 percent of a degree, diploma, or certificate may be earned through transfer credit and/or credit for prior learning.
- 3) When PLA credit is awarded, it is on a proficiency basis. Grades of “PR” are awarded. PLA credit does not count toward the student’s grade point average.
- 4) Gateway utilizes PLA to verify and assess student learning compared to Gateway course competencies and learning outcomes as outlined in Worldwide Instructional Design System (WIDS) through a standardized, pre-approved PLA for designated courses.
- 5) The three types of PLA methods are:
  - a. Exam. Gateway accepts satisfactory results for exams such as [Advanced Placement \(AP\)](#), [College Level Examination Program \(CLEP\)](#), [International Baccalaureate \(IB\)](#), and [Dantes Subject Standardized Test \(DSST\)](#). Gateway offers course-specific internal exams for designated courses.
  - b. Demonstrative. Demonstrative exams include performing a set of skills as outlined in the prior learning assessment.
  - c. Portfolio. Portfolios include submission of standardized approved documents and artifacts as the prior learning assessment.
- 6) Current prior learning opportunities are maintained on the Gateway website by registrar’s office.
- 7) Credit may be awarded for verified prior learning assessed by Gateway appointed faculty and content experts using a [prior learning assessment \(PLA\)](#), not for the experience itself.
- 8) Students are responsible for any incurred fees for AP, CLEP, IB, or DANTES testing, and for utilizing the Gateway testing centers.
- 9) Gateway charges the standard WTCS fees to students completing a PLA. These fees are non-refundable and will be charged to a student’s account upon completion of the PLA. A separate fee is required for each PLA completed.
- 10) All PLAs are considered a part of a student’s official academic record and will be maintained digitally, inclusive of all documents/artifacts presented in a portfolio. In





cases where documents or artifacts are intellectual property, or must be returned to the student because of their personal value, the PLA approval form signed by the reviewing instructor and school dean, inclusive of the assessment rubric, will be kept on file.

- 11) Pursuant to the MOU signed by the 16 WTCS institution presidents, the minimum threshold for awarding CFPL through proficiency credit (PR) on PLAs is that 80% of course competencies must be successfully met. All WTCS colleges accept PR credits earned at other WTCS institutions. For all other institutions, it is the responsibility of the student to inquire with the accepting institution whether or not PR credits from Gateway will be accepted.

## **PROCEDURES**

### **General Procedures for Credit for Prior Learning**

Students who have learning which they believe matches the content of a Gateway course review information on the credit for prior learning opportunities webpage to determine if an assessment exists.

- 1) Students work with the prior learning and degree completion coordinator, faculty and/or registrar's office staff to coordinate the completion of the assessment. If students decide to proceed with the assessment, they complete the Credit for Prior Learning Registration form.
- 2) The student completes the assessment. Students submitting a portfolio are encouraged to make a complete copy of the portfolio for their own use before submission. Faculty conduct portfolio assessments and may request further information from the student.
- 3) The faculty member completes the grading rubric for the assessment and approves or denies credit for the course.
- 4) The prior learning and degree completion coordinator reviews the assessment and grading rubric, documents completion by faculty, and effects entries to the student transcript.
- 5) The student is charged a non-refundable fee based on the PLA method.
- 6) The prior learning and degree completion coordinator will notify the student in writing of the final outcome of their CFPL Assessment Request.

### **Designating a Gateway Course as Eligible for Prior Learning Assessment Credit**

- 1) All CFPL course approvals must be on file in the Registrar's Office. No PLA shall be administered for a course that is not designated as being eligible for Prior Learning Assessment credit. If the academic department wants to offer a PLA option for a course, it must first submit a new PLA proposal to the Registrar's Office, and receive official notice of approval to offer a course for CFPL before assessing the student's learning.
- 2) Gateway appointed faculty and content experts will create and document the terms of the Prior Learning Assessment (PLA) and the grading rubric.



- 3) The proposed assessment will then be reviewed for quality assurance by the prior learning and degree completion coordinator and/or associate registrar. The prior learning and degree completion coordinator is responsible to:
  - a) Ensure that PLAs adhere to the Council for Adult and Experiential Learning's (CAEL) guidelines
  - b) Ensure that the standardized Gateway Technical College rubric for PLA development is followed
  - c) Coordinate the review and upkeep of all PLAs to maintain current academic quality and integrity in line with current learning competencies and course outcomes being taught in the classroom.
- 4) The proposed assessment is then reviewed by the school dean overseeing the course, who will provide signed approval or denial.
- 5) The prior learning and degree completion coordinator advises the faculty member and content expert of the approval and posts the new PLA opportunity on the college website.

### **Joins Services Transcripts - Military Students**

- 1) Students of military background may submit their official Joint Services Transcript (JST) to Gateway for a [military CFPL evaluation](#).
- 2) There are no fees attached for military students to receive CFPL based on a JST evaluation.
- 3) Gateway faculty and content experts review the JST in accordance with Wisconsin State Statutes and American Council on Education (ACE) credit recommendations to determine if credit can be awarded.
- 4) A maximum of 12 elective credits will be awarded from all JST experiences.

### **Appeals**

CFPL appeals follow the same Academic Concerns Policy as outlined within Student Due Process Rights Policy J-101 found in the Gateway Student Handbook. National standardized assessments that allow for test repeats will be honored by Gateway if the score earned through a repeat meets the credit granting threshold. However, internally developed and Gateway administered PLA's may only be attempted once. Should a student fail a Gateway developed and administered PLA, they must then enroll in and pass the course to receive credit.



## J-221 TRANSFER CREDIT POLICY

### POLICY

Gateway Technical College considers for transfer equivalency coursework completed at a collegiate, regionally accredited institution of higher learning. Regional accrediting agencies are recognized by the Council for Higher Education Accreditation (CHEA). Credit earned at a time when the transferring institution was a candidate for accreditation may be accepted for credit if the institution's accreditation was subsequently approved. The following standards apply to the transfer evaluation process:

- 1) Transfer credit evaluations are performed only for students who are accepted into a postsecondary program at Gateway. e.g. associate degree, technical diploma, certificate, or apprenticeship program
- 2) No more than 75 percent of a degree or certificate may be earned through transfer credit and/or credit for prior learning.
- 3) Gateway accepts only transfer credit for which a student has earned a grade of "C" or better. Courses in which a grade of "C-" or lower was earned will not be reviewed.
- 4) When transfer credit is accepted, only the credits are transferred in. Grades of "TR" are awarded in place of the original grades. The transfer credit does not count toward the student's grade point average. However, some Gateway courses or departments may have minimum grade requirements/prerequisite requirements. In those cases, the grade at the institution where the credit was earned will be used to determine if the student has met those requirements.
- 5) Students must have completed at least one post-secondary course at Gateway before an official transcript reflecting transfer credit will be issued.

### PROCEDURES

#### General Procedures

- 1) Students must submit an official transcript to the Gateway Technical College Admissions Office for each institution from which they wish to transfer credit. An official transcript is one that has the seal of the institution and the signature of an appropriate official of that institution and if delivered in person, it must be in the originating institution's sealed and stamped envelope. If an official transcript is opened by the student, it is no longer considered official.



- 2) Students are responsible for submitting all required supporting documentation pertaining to evaluation, including syllabi/course outcome information when requested.
- 3) Transcripts will be forwarded to the Registrar's Office for initial review against established standard equivalencies.
- 4) Transfer courses that have not previously been established as a standard equivalency will be reviewed by the academic dean responsible for the course subject area, or his or her designee. Credit is awarded if it is determined that the transfer course(s) meet or exceeds 80% of the content of the Gateway course(s) in question. The review of the course will focus on the level, content, quality, and comparability of the course.
- 5) Once the transfer credit review is complete, the accepted credit is applied to the student's academic record. Students may review their transfer credit on the My Progress screen in Self-service.

## **Additional Requirements to Transfer credit from Institutions outside the United States:**

Students with international postsecondary coursework must have their transcripts evaluated by an educational credential evaluation service that is a member of the National Association of Credential Evaluation Services (NACES®) or the Association of International Credentials Evaluators (AICES®). These associations specialize in comparing international academic credentials to U.S. educational equivalents. For students seeking equivalency credits, Gateway requires a catalog match evaluation.

International coursework will be evaluated on a course-by-course basis. Departments may require a translated syllabus by an ATA (American Translator Association) certified service for an evaluation of course content and learning outcome assessments.

## **Appeals**

Transfer credit appeals follow the same Academic Concerns Policy as outlined within Student Due Process Rights Policy J-101 found in the Gateway Student Handbook.



## J-230 STUDENT GOVERNMENT

### POLICY

United Student Government (USG) is the recognized representative of the student population and fulfills the responsibilities of students under Wisconsin Statute 38.145. There is student government representation at each campus of Gateway Technical College. The United Student Government works with students, faculty, and administration on the social, educational and cultural aspects of school citizenship, and for the betterment of the school.

### PROCEDURE

1. Members are elected by the student body, with officers and members representing all students in school. Student appointments to established staff-student committees are made by this group.
2. USG leadership team will meet twice per academic year with the college's Executive Leadership Council to learn about college priorities and plans.
3. USG oversees the disbursement of funds derived from student activity fees. USG shall annually prepare a budget for the disbursement of student activity fees in consultation with the college controller and college administration. Said budget must be submitted to the president for consideration. After the budget is approved USG shall ensure that said budget is followed and, if any changes are requested in the budget, such changes are submitted to the Gateway president and board for approval prior to being implemented.
  - a. Use of activity fees will align with college priorities and plans as established by the Gateway board and administration. Ongoing expenses created by the use of activity fees must be included in the student fee annual budget.
  - b. Major funding committee membership is made up of all USG officers representing the campuses and centers. In addition, the Learning Success Division designee will serve as a non-voting co-chair; the college controller (non-voting), Student Life Coordinators (non-voting), and an administrative support person (non-voting) will serve as resource members. Resource members serve an advisory role and may delay action by the committee to provide further information or input from the college. This committee is charged with disposition of activity fees that meet the following criteria:
    - 1) Miscellaneous requests (Form D-9C) over \$6,000,
    - 2) Funding requests that USG feels need additional administrative input, or
    - 3) Anything that requires the use of fund balance/reserve funds.
  - c. Minor funding committee is made up of at least 50% all USG officers representing the campuses and centers. The Student Life Coordinators will serve as resource (non-voting) members. The committee is charged with disposition of activity fees for all other allowable expenses.
  - d. Fundable Activities include, but are not limited to:
    - 1) Student Government
    - 2) Cultural and/or Instructional Related Student Activities
    - 3) Student Newspaper
    - 4) Student Club Activities
    - 5) Student Success Activities
    - 6) Food Services
    - 7) Advisor Expenses



- e. To be eligible for funding, students must have a signed standardized release form, including language that if it is not provided, the student will not be allowed to participate.
- f. These activities are not included in the district's aidable costs and shall not be funded from any other source other than from student activity fees.
- g. Non-Fundable Activities include, but are not limited to:
  - 1) The purchase and/or distribution of alcoholic beverages.
  - 2) Contributions (money and/or material) to charitable organizations, community service projects, and/or scholarships may not originate from activity fees. If student organizations wish to make contributions, they must show that the funds originated from a source other than activity fees. (from WTCS Financial & Administrative Manual – Gifts and Donations)
- 4. The college controller shall maintain financial records and budget for the Committee.
- 5. The college administrative support person shall take and maintain minutes, agenda and other documents for the Major Funding Committee meetings.
- 6. Robert's Rules of Order - The Committee shall follow Robert's Rules of Order when conducting its meetings



## J-250 STUDENT GRADING SYSTEM

### POLICY

#### 1. Credits

Each post-secondary course carries academic credit based on total contact hours and the method of instruction. Credits are used in determining student grade point average. General college and developmental/remedial (pre-technical and pre-college) courses do not carry credit toward postsecondary degrees or diplomas and are not used in academic GPA calculations. However, all postsecondary courses, including general college, developmental and remedial courses are used to calculate Satisfactory Academic Progress for financial aid purposes.

#### 2. Grading System

- a. Students enrolled in post-secondary level (associate degree and technical diploma level) credit courses will be graded by the following letter grade and point system. These represent various levels of accomplishment and grade points earned. Some instructors may not use plus (+) or minus (-) grades. Grading scales for individual courses are outlined on each course syllabus and may vary from course to course. It is important for students to review and understand course grading scales.

Grades	Description	Grade Points	Grades	Description	Grade Points
A	Excellent	4	C	Satisfactory	2
A-	Excellent	3.67	C-	Satisfactory	1.67
B+	Good	3.33	D+	Poor	1.33
B	Good	3	D	Poor	1
B-	Good	2.67	D-	Poor	0.67
C+	Satisfactory	2.33	F	Failure	0

- b. The following grades will appear on the transcript, but will not be included in the Grade Point Average:

Grades	Description	Grades	Description
WP	Withdrawal Passing (prior to 2007)	PR	Proficiency Credit (Credit for Prior Learning)
WF	Withdrawal Failing (prior to 2007)	M	Manual Repeat Adjustment
W	Withdrawal	P	Pass (minimum 2.0 GPA equivalent)
R	Repeated	D+X	Academically Forgiven D+ grade
I	Incomplete	DX	Academically Forgiven D grade
AU	Audited (no credit earned)	D-X	Academically Forgiven D- grade
TR	Transfer Credit	FX	Academically Forgiven F grade

- c. Adult Continuing Education courses are non-credit, recorded on a separate transcript and not calculated in a student's GPA. Students enrolled in Adult Continuing Education (ACE) courses will be assigned the following grades:

Grades	Description	Grade Points
S	Satisfactory	No grade points are assigned for Adult Continuing Education Courses
U	Unsatisfactory	





W	Withdrawal
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## PROCEDURE

Grades will be submitted/entered online by faculty according to the deadline set by the registrar. Grades will be viewable to students online, the day after the instructor submits them.

### 1. Grade Point Average (GPA)

A student's average grade is expressed in terms of a Grade Point Average (GPA). Grading at Gateway is based on a four-point scale. GPAs are truncated, not rounded. The grade point average is calculated by dividing the sum of the grade points by the total number of GPA credits. General college, pre-college and pre-technical classes are developmental and/or remedial classes and do not count toward postsecondary graduation, nor are they used in GPA calculations for academic or credential purposes. Financial aid does include general college, pre-college and pre-technical classes for Satisfactory Academic Progress calculations. To determine grade point average:

#### Example:

Course	Grade	Point Value		GPA Credits	Grade Points
English Comp I	F	0.00	X	3.0	0.000
Intro to Sociology	C	2.00	X	3.0	6.000
Speech	D	1.00	X	3.0	3.000
Management Principles	B	3.00	X	2.0	6.000
Accounting I	A	4.00	X	4.0	16.000
PTA Clinical Pract 1	P	0.00	X	0.0*	0.000
Investments	AU	--	X	--	--
			Total	15.0	31.000
Credits Completed	--	15.0			
Grade Points Earned	--	31.000			
Grade Point Average	--	$31/15 = 2.066$			

\*Note: Post-secondary credits for courses with a P grade count toward "hours completed" for graduation, but not as "GPA credits," as they are not used to calculate GPA.



## J-251 Academic Forgiveness

### POLICY

Gateway recognizes that returning students' past academic work may not be reflective of their current demonstrated ability. Furthermore, past academic work may negatively affect students' academic standing and ability to reach their educational goals. Under these circumstances, the college may exclude some past grades from certain calculations of grade point average (g.p.a.) and academic progress, hereafter referred to as academic forgiveness.

### PROCEDURE

1. Students who meet all of the following conditions are eligible to apply for academic forgiveness:
  - a. At the time of re-entering the college, the student must:
    - i. have had a two-year continuous break from any credit-bearing coursework at Gateway. Students seeking forgiveness for only dual credit coursework may apply without a 2-year continuous break.
    - ii. have a Gateway cumulative g.p.a. lower than 2.0.
  - b. Subsequent to re-entering the college, the student must:
    - i. be admitted to a certificate, diploma, or degree program.
    - ii. have an advisor-approved academic plan.
    - iii. have completed at least 12 post-secondary, non-developmental/remedial credits at Gateway within three consecutive academic terms.
    - iv. have earned no grade lower than C in any completed course.
2. The student will complete an application for academic forgiveness, which includes a description of the student's plan for the successful completion of future Gateway coursework.
3. Upon approval by the registrar's office:
  - a. The date of academic forgiveness will be recorded in the student's record.
  - b. All grades of D+ and below earned prior to the break in enrollment will be excluded from all g.p.a. calculations except those used for financial aid. The courses and grades will remain on the student record and transcript.
  - c. Credit will remain unchanged for any courses taken before the point of academic forgiveness if the student earned a grade of C- or higher.
  - d. Total credits for graduation will be based on all program coursework taken at Gateway after re-entry as well as prior coursework with grades of C- or higher and any transfer or proficiency credits awarded.
4. Academic forgiveness may be granted only once in a student's lifetime academic career at Gateway. Once granted, the grades retained or forgiven will be permanent. No future reversals, adjustments, or recalculations will be made.
5. A forgiven course cannot be used to satisfy any requisite.
6. No prior honors or academic awards recognition will be adjusted.
7. Courses for which grades are forgiven continue to count as attempted courses. Rules for reapplication to programs remain in effect following academic forgiveness.
8. Academic forgiveness may not be applied to any course in which the student was previously found in violation of the academic integrity policy.



9. Academic forgiveness is not recognized by federal financial aid regulations and will not impact the grade calculations used for financial aid eligibility and satisfactory academic progress.
10. Transfer institutions may not honor Gateway's academic forgiveness policy.



## J-280 STUDENT RECORDS

### POLICY

Gateway Technical College will comply with the Family Educational Rights and Privacy Acts of 1974 (FERPA) as amended. Student records are excluded from the Private Records Law through the exception provided by law under FERPA. Educational records are those records, files, documents and other materials which contain information directly related to the student. All Gateway Technical College District students have the right to inspect and review all of their records maintained by the Gateway District with the exception of the following as referenced by FERPA as amended:

1. Personal notes of Gateway faculty or staff, kept in their sole possession, are not accessible or revealed to any other individual except a substitute who performs on a temporary basis the duties of the individual who made the notes.
2. Employment records.
3. Medical and counseling records used solely for treatment.
4. Records maintained by campus security agencies.
5. Financial records of the students' parents.
6. Confidential letters and statements of recommendation placed in their records after January 1, 1975, for which the student has waived the right to inspect and review.

### PROCEDURE

1. Students requests to review records must be made separately to the office which maintains such records. Gateway reserves the right to have the request made in writing and presented to the appropriate office. That office must comply with that request within forty-five (45) days.
2. A student may challenge any information contained in their "education records." This right does not extend to challenging grades unless the grade assigned was inaccurately recorded.
3. The student has the right to insert a statement in his/her record to explain any matters they wish to from their (the students') perspective.
4. If the student wishes to challenge information in his/her record, they must make a written request for a hearing to the vice president, Student Success. The hearing will be held and a decision rendered by the vice president, Student Success.
5. The student may request an appeal of the vice president, Student Success's decision in writing to the president of Gateway Technical College. The president or designee will overturn the decision if the vice president, Student Success only if a significant question of policy or compliance with existing state or federal law appears to be raised by the situation.
6. Prior written consent of the student must be obtained before information may be disclosed to third parties unless the information or the individual or group making the request is exempted by this policy and the Family Educational Rights and Privacy Act of 1974. Such exemptions are made for the following:
  - a. Requests from Gateway District faculty and staff with a legitimate educational "need to know."
  - b. Requests in accordance with a lawful subpoena or court order.
  - c. Requests from representatives of agencies or organizations from which the student is receiving financial aid.



- d. Requests from officials of other postsecondary educational institutions to which the student has applied for admission.
- e. Requests from other persons or agencies specifically exempted from the prior consent requirement by FERPA. This includes certain federal and state officials or organizations conducting studies on behalf of the Gateway District, accrediting agencies, etc.
- f. Requests for "directory information" which include the following:
  - 1) Name
  - 2) Hometown
  - 3) Date of birth
  - 4) Program of enrollment (major field of study) and number of credits for which currently enrolled
  - 5) Participation in officially recognized activities.
  - 6) Dates of attendance (including current classification and year, matriculation and withdrawal dates)
  - 7) Degrees and awards/honors received (type of degree and date granted)
  - 8) The most recent previous educational agency or institution attended.
- 7. The student may elect to have directory information held confidential by the completion of a form available at the Student Services offices. When this option is exercised, the only information that will be released by the institution, other than exemptions 1 - 5 above, is confirmation that a student is or has been enrolled at Gateway District schools. If the student elects to allow the release of "directory information", such release will be limited to those requests perceived to be in the best interest of the students; e.g., requests from parents, friends, relatives, prospective employers or licensing agencies seeking to confirm certain information, honor societies, news releases, athletic programs, etc. All other inquiries will be limited to confirmation that student is or was previously enrolled at Gateway.
- 8. Gateway Technical College assumes no responsibility or liability for the accuracy of judgment as to whether or not a release of "directory information" is in the best interest of a student.
- 9. Likewise, Gateway will assume no responsibility for contacting students who have elected to stipulate "directory information" as confidential for subsequent permission to release any information.



## STUDENT CODE OF CONDUCT

### POLICY

1. The Gateway District recognizes that in order to operate a meaningful educational program and a safe environment for students and staff, this Code of Conduct will be followed.
2. The Gateway District believes every student has the right to pursue an education free from disruption, harassment, illegal activities, threats, or danger. The District further believes that academic honesty and integrity are fundamental to the educational mission of this College. Every student is expected to comply with the standards set and to be familiar with all the rules, regulations, and policies of Gateway Technical College.
3. On a daily basis, any student or group of students may be denied access to the classroom upon the instructor's determination that their behavior impedes student learning, the health and safety of peers, self, or the staff. The instructor will notify the student(s) of their denied access. The dean of campus affairs will also be notified by the end of the working day.

### PROCEDURE

#### Standards

1. Students are expected to comply with all institutional, federal, state, county, and municipal policies, statutes and ordinances.
2. At all times, students are expected to conduct themselves in such a manner as not to interfere with the educational process at Gateway Technical College.
3. Students will conduct themselves in such a manner as not to endanger the safety or welfare of their fellow students.
4. Students must comply with the following and may be subject to discipline, including suspension or dismissal for the following offenses:
  - a. Obstruction or disruption of the normal operations of the College or activities authorized by the College.
  - b. Physical or verbal abuse, harassment, or detention of any person(s) on school property or at school activities when such endangers the health, safety, or rights of such persons.
  - c. Theft or damage to property of the College or property of any visitor or member of the Gateway Technical College community.
  - d. Unauthorized entry to or use of Gateway Technical College property or facilities.
  - e. Dishonesty, which includes but is not limited to, knowingly furnishing false information to the College, plagiarism, or any form of cheating.
  - f. Use, under the influence of, possession, sale or distribution of narcotic or illegal drugs, firearms, explosives, dangerous chemicals, alcoholic beverages, etc. on Gateway owned or leased property, or at Gateway sponsored activities.
  - g. Possession of a dangerous weapon on school premises or at school-related events.

### DISCIPLINE

The following procedures have been developed to deal with a student who has failed to comply with this policy.

- Step 1.** Upon receipt of an alleged violation, the appropriate dean of campus affairs will be assigned to investigate the charges. The dean of campus affairs may temporarily suspend a student pending an investigation when the student's continued presence might cause continued academic disruption or endanger the student or others.



- Step 2.** If the investigation determines that the college has reasonable cause to believe that a student has pursued a course of conduct which is contrary to Gateway policy and requires sanction(s), the dean of campus affairs may take appropriate action. Within two (2) days from the action, the student shall be given notice in writing, by certified mail or personal delivery, the results of the investigation and the sanctions applied. The notice will also provide the information necessary for the student to appeal the sanctions if he/she wishes.
- Step 3.** If the student appeals the sanctions, he/she must notify the executive vice president/provost in writing within five (5) working days of receipt of the letter. The student will be notified in writing, by certified mail or personal delivery, of the time and place of the hearing before a disciplinary committee composed of the executive vice president/provost or designee, a staff member, and a student. Said hearing shall be held no less than two (2) working days nor more than seven (7) calendar days from the date the student receives the above notice of hearing. The student shall be provided the name(s) of the witnesses testifying against him/her and a copy of the initial investigation results that was conducted by the dean of campus affairs.
- Step 4.** At any hearing before the disciplinary committee, the student shall have the right to present testimony on his/her own behalf and call witnesses.
- Step 5.** The committee shall issue a dated, written order (to the student) informing the student of the decision. The order may be personally delivered or sent certified mail.

## NON-ACADEMIC SANCTIONS

The following sanctions may be imposed to students who fail to comply with this policy.

1. Warning: Issued to a student who has committed a minor violation of this policy and doesn't pose a continued concern for the college.
2. Disciplinary Probation: Issued to a student who has committed a violation of this policy and will face additional sanctions if any additional violations occur during a specified time frame.
3. Suspension: Issued to a student, for a specified time frame, who has committed a major, egregious or continued violation(s) of this policy.
4. Dismissal: Permanent removal, issued to a student who has committed a major, egregious or continued violation(s) of this policy.
5. Restriction: Issued to a student who has committed a violation of this policy and the resolution is a limitation on the student's access to identified services, locations, education, community activities or persons. Issued for a specified time frame.
6. Restitution: Issued to a student who has committed a violation of this policy that resulted in staff, institutional or another student's financial loss. May be issued as a condition of return or continued attendance in the college.
7. Referral: Issued to a student who has committed a violation of this policy and it's determined that continued participation at the college is contingent upon the student attending designated services (college or private vendor) or programs. May be issued for a specified time frame or as permanent and may be issued as a condition of return or continued attendance in the college.



8. Loss of Privileges: Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student's access to identified service, location, or educational community activities.
9. No Contact: Issued to a student who has committed a violation of this policy and it is determined that the student may continue attendance in the college with permanent limitations on the student's access/contact with an identified individual(s) or groups of student and/or staff.

These sanctions are not meant to be progressive in nature. A student may be issued one or more of these sanctions in response to an incident. The college will determine level of sanction based on the severity of the incident or series of incidents.







## J-310 STUDENT HEALTH REQUIREMENTS FOR PROGRAMS

### POLICY

The intent of student health requirements is the protection of all students, as well as meeting state and federal requirements in the workplace. The following program areas are impacted by the Student Health Requirement policy:

Aeronautics Pilot Training	Medical Assistant
Child Care & Development	Medical Transcription
Community Pharmacy Technician	Nursing Assistant
Corrections Science	Nursing-Associate Degree
Dental Assistant	Police Science
Emergency Medical Technician	Physical Therapist Assistant
Food Service	Practical Nurse
Hotel/Hospitality Management	Radiography
Health Information Technology	Surgical Technician
Health Unit Coordinator	

### PROCEDURE

#### 1. Clinical Sites

The College cannot guarantee that a student with health limitations and/or restrictions will be admitted to clinical sites. Clinical sites reserve the right to restrict a student from a clinical experience at their site. Prior to entering or participating in the above mentioned educational programs, all students will be required to provide evidence of their physical health status and immunity to diseases by documented:

- Laboratory Tests - must be within six (6) months
- Required Vaccinations Immunizations-proof of date(s)
- Cardio Pulmonary Resuscitation (CPR) when appropriate
- Medic First Aid when appropriate

#### 2. Physical Examination

The physical examination, if required, should be performed by a licensed physician or a physician extender within six (6) months prior to the student beginning the clinical portion, laboratory experience, or entry into the program. The College health forms (physical exam, laboratory findings, immunizations, and Hepatitis B Acknowledgment/Release Form) are provided to the student upon full acceptance into the laboratory or clinical portion of the students program. Each program shall designate a depository for physical exam records and related documents. In shared programs, it is the graduating school's responsibility to inform and monitor compliance and maintain records.

#### 3. Accident/Injury

- Students will be informed that if they sustain an illness or an injury at an off-campus academic work experience site, the cost of the medical expenses is the student's responsibility. The instructor will inform the student of any immediate action to be taken and/or assist the student in obtaining emergency assistance. The student, with the assistance of the instructor, must complete the agency's accident/incident report form and submit a copy of the form to the appropriate dean or associate dean. At that time, the student will be required to complete the Gateway Accident/Incident Report. Students are not covered by OSHA-Occupational Safety Health Act.
- Student Accident Only Insurance, when available, may be required by students registered in a clinical course, practicum, or externship. Enrollment in such an insurance policy is automatic upon registration unless this insurance is waived by the student and the student can produce evidence of existing equivalent coverage. Details related to the cost,



enrollment, benefits, and processes for the comprehensive student accident-only insurance are available from the academic program office and/or the insurance broker at [www.gallagherkoster.com](http://www.gallagherkoster.com).

### 3. **Late Admissions**

A student admitted late to a program must submit a negative Mantoux tuberculin skin test or chest x-ray prior to entering the work experience setting. A plan for the completion of the CPR and other health requirements must be set up with the program chair.

### 4. **Re-Entry Students**

A student who leaves the academic work experience portion of the program for a semester or longer and then re-enters would not be required to have another physical provided that the student's initial physical was within the three (3) year time limit from date of initial physical. A tuberculosis test is required if length of time exceeds one (1) year. A student who leaves the program for health reasons would be required to have a physician's release to re-enter the program. A student may be asked to obtain physical while in the program if the student exhibits signs and symptoms that interfere with the student's academic requirements. As District policy changes to be in compliance, the student is required to update any health requirements.

### 5. **Students with Disabilities**

- a. When a student self-identifies as having a physical or mental condition restricting participation in a program, they will be referred to the Learning Skills Specialist, who will counsel the student as to occupational restrictions and/or program alternatives.
- b. According to policy H-150, the College will make academic accommodations to assist the student in order to be in compliance with the American's with Disabilities Act and Section 504, Rehabilitation Act. Accommodation for the student will be provided on an individual basis depending on the student's disability and the workplace requirements. It is the student's responsibility to self-identify to the instructor. A student may appeal any decision following the "Student Due Process Rights Academic Concerns" policy J-290.

### 6. **Transfer Students**

Students who transfer from other colleges into the work site portion of a program will be required to have a new physical exam, if required, and meet all health requirements prior to entry into the program. It will be the responsibility of the program counselor to inform the transfer student to contact the program chair for specific requirements.

### 7. **Aeronautics - Pilot Training**

Students enrolled in this program must pass and maintain an FAA second class medical certificate prior to the first day of flight class. FAA medical exams are administered by FAA certified flight surgeons. The student shall provide the campus school nurse with a copy of the FAA medical card for documentation.

### 8. **Child Care and Development**

Prior to child care lab participation, a student shall provide evidence from a licensed physician or physician extender that the student is free of clinically apparent communicable disease.

### 9. **Food Service & Hotel/Hospitality**

- a. Prior to participation in any lab experience where food products are distributed or sold, a student shall provide evidence from a licensed physician or physician extender that the student is free of clinically apparent communicable disease.
- b. Student organizations that prepare and dispense food products on campus shall have their student representatives who are involved participate in a food handler training course.



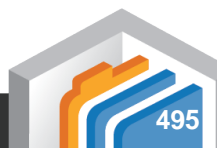
**10. Health Occupations**

Prior to entering the clinical or lab experience, the student shall provide history and immunization record. In addition, each health occupation program may have unique health requirements, as noted in the chart at the end of this policy.

**11. Police Science/Corrections Science**

Prior to a police science/corrections science student taking Physical Fitness for Law Enforcement, Firearms Training and Defense Tactics, and Principles of Subject Control/Physical Fitness Training, the student shall provide evidence of a physical examination from a licensed physician or physician extender. The examination shall include completion of the health history and lifestyle questionnaire furnished by the school. The results of the examination will be utilized to individualize each student's training program.

Adopted: July 2, 2009  
Supersedes: May 22, 1997  
Reaffirmed &/or Updated: January 2001





PROGRAM HEALTH REQUIREMENTS							
PROGRAM	GENERAL PHYSICAL	RUBELLA & RUBEOLA TITER <sup>1</sup> or 2 MMR <sup>2</sup>	TETANUS TOXOID	MANTOUX for TUBERCULOSIS <sup>3</sup>	HEPATITIS B <sup>4</sup>	CPR <sup>5</sup>	MEDIC FIRST AID
Aeronautics Pilot Training	X			X*			
Child Care & Development	X	X	X	X	X	X*	
Community Pharmacy Technician		X	X	X*	X	X	
Corrections Science	X			X*	X		
Dental Assistant		X	X	X	X <sup>6</sup>	X	
Emergency Medical Technician		X	X*	X*	X*	X*	
Food Service Hotel/Hospitality			X	X			
Health Information Technology		X		X			
Health Unit Coordinator		X	X	X	X*	X*	
Medical Assistant		X	X	X	X*	X	X
Medical Transcription		X		X			
Nursing Assistant			X	X	X*	X*	
Nursing – Associate Degree		X	X	X	X*	X	
Physical Therapist Assistant		X	X	X	X*	X	
Police Science	X			X*	X*		
Practical Nurse		X	X	X	X*	X	
Radiography		X	X	X	X*	X	
Surgical Technician		X	X	X	X*	X	
<b>*Recommended / Not Required</b>							

<sup>1</sup>Rubella and Rubeola titers are blood tests that determine immunity to the diseases; if the individual's Rubella and Rubeola titer results are negative or equivocal (meaning they do not have immunity), they would need to receive the MMR (measles, mumps, rubella) vaccine to provide them with the necessary immunity. The MMR's must be given at least 1 month apart. A student could begin clinical after one dose of MMR's with the second scheduled immunization one month later.

<sup>2</sup>IF PREGNANT - MMR should not be given to a woman who is known to be pregnant or who is considering becoming pregnant in the next 3 months. A waiver from the person's doctor should be obtained and Rubella/Rubeola titers must be done to determine immune status. Immediately after the birth of the child, MMR's must be obtained if the titers were negative.

<sup>3</sup>BASELINE CHEST X-RAY is required if the TB skin test is positive. If the x-ray is negative for active disease, it is not required yearly as long as the person is without symptoms and the lack of symptoms is physician or physician extender documented. Students who are in a program longer than 1 year should have the TB test repeated on a yearly basis. Nursing Assistant students are required to have a Mantoux test within 90 days of entering clinical experiences. Some clinical sites may require more frequent testing.

<sup>4</sup>A student upon signing a release may voluntarily waive the Hepatitis B vaccination. The College cannot guarantee that said student will be admitted to clinical sites if he/she elects to waive the Hepatitis B vaccination.

<sup>5</sup>Refer to specific program curriculum sheet for CPR requirement.

<sup>6</sup>Hepatitis B vaccination is required for Dental Assistant students to finish the clinical portion of their program per recommendation of the clinical site.



## J-320 SOLICITATION OF BUSINESS ON DISTRICT PROPERTY FOR PERSONAL GAIN BY STUDENTS

### **POLICY**

Students shall not solicit other students, faculty or employees on District property for private financial gain. Violation of this policy is subject to Code of Conduct procedures, J-300, Non-Academic Discipline, Suspension or Dismissal.

