



UNIVERSITY OF WISCONSIN-LA CROSSE (UWL)
YOUTH PROTECTION
YOUTH AND FAMILY RESOURCE GUIDE

Rights and Resources

This guide is focused on the needs of youth participating in UW-La Crosse (UWL) programs and activities. The contents in this guide will help youth and families navigate certain processes and protocols as they relate to reporting of prohibited behaviors and resources and referrals to support participants and their families.

To review the UWL Policy on Sexual Harassment and Sexual Violence, visit <https://www.uwlax.edu/title-ix/policies/>.

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Definitions

Below are summary descriptions of prohibited conduct in UWL youth activities. For full policy definitions of each term, please reference the UWL Policy on Sexual Harassment and Sexual Violence.

Sexual Harassment

Sexual harassment is unwelcome sexual advances, unwelcome requests for sexual favors, or other unwelcome sexual conduct that negatively affects a person's academic, programmatic or work environment. When determining whether sexual harassment occurred, a variety of factors may be considered, including differences in power status between the involved parties and the context of the interactions (i.e., in a school setting). Sexual harassment can occur in two different forms.

Quid Pro Quo

"This for that" harassment occurs when academic or employment decisions are based on someone's submission to or rejection of the unwanted sexual advances or conduct. Examples include:

- A youth program group leader tells a program participant that they will help with a final project if the participant lets the group leader kiss them

Hostile Environment

A hostile environment occurs when the unwanted sexual conduct interferes with a person's academic environment, workplace, program, or activity. Examples include:

- A precollege program participant is subjected to unwanted sexual comments about their appearance from another program participant, making them so uncomfortable and distracted they are unable to focus on their classes or complete their project on time
- A youth program group leader frequently talks about his personal sexual relationships during group meals in the dining hall, and this makes a program participant so distressed that they no longer want to eat meals when the group leader is present

Sexual Assault

Sexual assault refers to any sexual contact that occurs without consent, including fondling (touching of private body parts) and rape (penetration).

In Wisconsin, a person is unable to consent to sexual activity if they are incapacitated due to: alcohol or drugs, physical or intellectual disability, unconsciousness, or if they are under the age of 18. Consent means words or clear actions that openly show a person who is competent and legally able to give informed consent freely agrees to the sexual contact.

Note: If a child is aged 15 or younger, sexual assault is also considered child abuse under Wisconsin State Statute. For more information, see the Child Abuse and Neglect section on [pages 10-12](#).

Stalking

Stalking is a pattern of behavior directed at a specific person that causes substantial emotional distress or fear for physical safety. This may include monitoring, pursuing contact through calls, emails, text messages, or social media, sending unwanted gifts, and showing up at a person's home, workplace, or school.

Dating & Domestic Violence

Dating and domestic violence is violence or the threat of violence by someone in a dating, sexual, or romantic relationship with the victim. Some circumstances of dating and domestic violence may also be considered child abuse.

For example, if an adult perpetrates violence against another adult in the home and risks the physical safety of a child in the same room, this is considered threatened child abuse.

Retaliation

Retaliation is an adverse action taken against an individual in response to, motivated by, or in connection with the individual's complaint of sexual harassment. University policy, as well as state and federal law, prohibits retaliation against anyone who has filed a complaint or otherwise participated in the investigation of a complaint of sexual harassment or sexual violence. Examples include:

- Violating a no contact directive issued by the university
- Awarding a lower grade on a project for reasons other than merit
- Imposing unwarranted discipline within a youth activity

Sexual Exploitation

Sexual exploitation occurs when an individual attempts, takes, or threatens to take nonconsensual advantage of an individual. Examples include:

- Taking or distributing nude photos of someone without their consent
- Drugging someone for the purpose of making them vulnerable to non-consensual sexual contact
- Forcing someone to pay money or engage in sexual activity in exchange for not distributing nude photos or private sexual information
- Exposing one's private body parts in the presence of another without that person's consent

Note: All of these examples are considered sexual exploitation under UWL policy, as well as sexual abuse of a minor under Wisconsin State Statute. For more information, see the Child Abuse and Neglect section on [pages 10-12](#).

Recognizing the Signs of Dating Violence

Does someone you're dating make you feel scared or powerless? There are a variety of methods someone may use to exert power and control over you. Here are some examples:

Jealousy and Possessiveness <ul style="list-style-type: none">• Following you or finding you wherever you are• Getting really mad if you are texting someone else	Threats and Intimidation <ul style="list-style-type: none">• Threatening to hurt you• Warning you they will hurt themselves if the relationship ends
Emotional Abuse and Humiliation <ul style="list-style-type: none">• Making fun of your weight or clothes• Constantly criticizing your appearance• Saying you are not worthy of love	Academic Abuse <ul style="list-style-type: none">• Checking on your grades or school performance• Transferring into your classes or clubs to monitor you
Manipulation and Limiting Independence	Isolation

<ul style="list-style-type: none"> • Using anger or the silent treatment as punishment • Controlling or taking your money 	<ul style="list-style-type: none"> • Controlling what you do and which friends you spend time with • Pressuring you to choose between them and your family
<p>Sexual Abuse</p> <ul style="list-style-type: none"> • Pressuring you to do sexual acts you are not comfortable with • Comparing you to other partners they have had 	<p>Physical Abuse</p> <ul style="list-style-type: none"> • Punching or hitting you • Throwing objects • Grabbing or twisting your arm

Navigating Your Response to Dating Violence

Experiencing dating violence or an abusive relationship can be a traumatic event, and we all handle trauma and stress differently. Though each person and situation is unique, the following list provides some examples of possible reactions. You may experience one, multiple, or none of these reactions:

- Reduced ability to cope with daily life such as going to school or doing chores at home
- Loss of interest in activities you used to enjoy
- Difficulty concentrating or focusing on school, homework, or projects
- Feeling tired or having a lack of energy
- Changes in your usual sleeping and eating patterns
- Depression or anxiety
- Feeling very calm or very upset
- Flashbacks (reliving a traumatic event), intrusive memories, or nightmares
- Hypervigilance
- Changes in your relationships

There is no right or wrong way to act or feel.

Reporting and Response Options

There may be a variety of different responses that occur, which could include the university, law enforcement, or Child Protective Services. Concerns that are raised to the university might be handled in a variety of ways, including formal investigations and alternative resolutions. When a report is made to the university, it is not confidential.

Before you report to either the university or law enforcement, you may also want to consider the following:

- Investigators will likely want as many details as possible about the misconduct, and it can sometimes be difficult to recount or describe a traumatizing event
- Investigations cannot be confidential (although they should be as private as possible)
- It can be a lengthy and sometimes confusing process
- There is no guaranteed outcome

It is important to know the difference between action taken by the university and action by the criminal process. Please see the following pages for additional information about each process.

Reporting to UW-La Crosse

Concerns that are raised to the university might be handled in a variety of ways, including formal investigations, alternative resolutions, or supportive measures. Listed below is additional information about reporting to the university.

Formal Investigations

A formal investigation concludes with factual findings and a decision about whether the respondent violated university policy, which could result in sanctions. In a formal investigation, both parties have the right to an advisor (who may be an attorney at your own expense) during all stages of the process.

Investigations regarding alleged violations of policy will be conducted using the applicable university investigatory or disciplinary procedures.

Alternative Resolutions

Alternative resolutions usually involve a university official speaking with the person accused of the misconduct about their conduct and reviewing university policy. The purpose of this meeting is to stop problematic conduct from continuing. This type of resolution may be appropriate for people experiencing harassment or stalking, but may not be appropriate for other types of misconduct.

No factual findings or conclusions are made about the alleged conduct in alternative resolutions. This option typically allows you to remain anonymous, unless there are concerns about child abuse or neglect.

Supportive Measures

Supportive measures are designed to restore or preserve access to the university's program or activity without unreasonably burdening the other party. They also help protect the safety of all parties and the university's educational environment, and deter further sexual harassment.

Note: Supportive measures are available regardless of the response option you choose. You or your family can pursue supportive measures even if you are not requesting an investigation or alternative resolution.

Supportive measures may include:

- Counseling
- Schedule modifications
- Mutual restrictions on contact between parties
- Increased monitoring of certain areas of campus
- Changing in housing locations

Reporting to Law Enforcement or Child Protective Services

Criminal conduct can also be reported to law enforcement. You should report to the law enforcement agency that has jurisdiction over where the crime occurred. For example, if a crime occurs during a field trip at Devil's Lake State Park, call the sheriff's office in Sauk County. Child abuse or neglect and/or suspected child abuse or neglect may also be reported to the police or Child Protective Services (CPS).

UW-La Crosse University Police (UP) is a full-service, 24-hour law enforcement agency. UP officers have the authority to make an arrest, regardless of whether the perpetrator is associated with UWL or not. Contact UP at 608-785-9000. Another law enforcement agency in the area is the La Crosse Police Department.

See page 8 for more information about reporting to the Child Protective Services agency in your area.

Preserving Evidence

If you choose to report to either the university or law enforcement, or think you may consider doing so in the future, you should consider preserving evidence that might be relevant to an investigation. Evidence may include:

- Text messages, emails, and other written communications. Messages between people who know what happened may be helpful, including messages where you may have told a friend or family member what happened.
- If you are experiencing ongoing or repeated abuse or harassment, track dates, times, and specific behaviors in a calendar, journal, or notes app. This can also help with memory recollection.
- In some situations, collecting forensic and medical evidence close to an assault is critical, especially when law enforcement is involved.
- Timing may be important for many types of evidence collection. Reporting as soon as possible increases the likelihood that evidence will remain available.

Even if you do not have all or any of the types of evidence described above, it does not mean that you cannot report the misconduct or that the respondent will not be able to be found responsible.

Other Useful Information About Reporting

Listed below is additional useful information about the differences between the university process and the criminal process.

University Process	Criminal Process
Penalties are given for violation of university policy	Has the power to arrest and charge with criminal offenses
Responsibility is based on “preponderance of the evidence” standards	Responsibility is based on “preponderance of the evidence” standards
Limited ability to impose penalties or restrictions for those not affiliated with the university	Limited ability to impose penalties or restrictions for those not affiliated with the university

Safety Support

Protective Measures

The university has a variety of resources to help you stay safe. These services are available to you whether or not a formal investigation occurs.

No Contact Directives Issued by UWL

One tool UWL uses to support a safe, respectful, and responsible educational and working environment, either as a proactive measure or in response to and prevention of additional incidents, is a “no contact directive”.

A no contact directive is a university-issued directive that prohibits the recipient from having contact with the individual(s) named in the directive. The no contact directive is different than a restraining order or civil injunction issued by a court of law and may be issued independent of university investigatory or disciplinary

processes. A no contact directive is issued when an authorized university employee determines that an individual should be prohibited from having contact with another person.

Violation of a no contact directive issued by UWL may result in disciplinary action up to and including dismissal.

Civil Restraining Orders Issued by a Court of Law

A restraining order is a court order limiting defined potential conduct of someone who has abused or harassed you, ordering them not to abuse or contact you. A restraining order is issued by a judge and is enforced by police, and can be issued to people not affiliated with UWL. For instructions on how to file for a court-ordered restraining order, you or your parent/guardian can visit the [La Crosse County Clerk of Courts](#) website.

Note: If you do not live in La Crosse County, please visit the Wisconsin Department of Justice website for more information on filing or obtaining a restraining order form in your county. This website provides a Statewide List of County Clerks of Court, Restraining Order Forms, and additional information on all types of restraining orders.

Confidential Resources

You do not have to navigate this experience alone. If you are unsure about what you are feeling or what you should do, you may want to speak with a confidential support resource. Confidential resources are not allowed to share anything you talk to them about, except in certain situations (for example, child or elder abuse). These resources can help you make an informed choice about what is right for you and your family.

La Crosse Area Confidential Resources

- Great Rivers 211: 211 or 800-362-8255; TTY: 866-884-3620 (24 Hours)
- Gundersen Health System Domestic Violence/Sexual Assault program: 608-775-5950 (24 Hours)
- Mayo Clinic Health System Safepath: 608-392-7804 or 800-362-5454, ext. 7804 (24 Hours)
- New Horizons Shelter and Outreach Centers: 608-791-2600 or 888-231-0066 (24 Hours)

Statewide Confidential Resources

If you are not located in the La Crosse area, the Wisconsin Coalition Against Sexual Assault (WCASA) provides a list of domestic violence and sexual assault service providers across the state. You can view service providers by Wisconsin county or by American Indian Tribes of Wisconsin.

To access the list or for additional information, visit: www.wcasa.org/survivors/service-providers.

Other Support Resources

- Mental Health America of Wisconsin
414-276-3122 or toll-free: 866-948-6483
www.mhawisconsin.org/statewide-resources-by-county.aspx
Offers a comprehensive list of mental health resources by Wisconsin county. Additional statewide resource directories include: county human service departments, mental health advocacy groups, and county suicide prevention coalitions.
- State Bar of Wisconsin Lawyer Referral and Information Service
800-362-9082

wisbar.org/forpublic/ineedalawyer/pages/lris.aspx

This service is offered by the State Bar of Wisconsin and is a public service that helps identify the most appropriate resource for legal needs.

- Child Protective Services Directory

www.dcf.wisconsin.gov/reportabuse

Provides a directory of all Child Protective Services agencies in Wisconsin. To report a case of child abuse or neglect, contact the county or tribe where the child or child's family lives.

The resource list in this guide does not cover all the sexual violence, mental health, legal, or law enforcement resources in the state, or in your local area. Many sexual violence agencies in this list can provide referrals to mental health, legal, or law enforcement resources in your area.

Victim's Rights

- Victims have the right to report to law enforcement and to be assisted by UWL authorities in so doing.
- Victims have the right to decline to report to law enforcement.
- Victims have the right to report to UWL and are encouraged to report to the offices designated to receive complaints: UWL University Police, the Title IX Coordinator, and Youth Protection.
- Victims have the right to a victim advocate of their choosing.

- Victims have the right to be notified, in writing, of existing resources for counseling, mental health, health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available both on campus and in the community.
- Victims shall be notified of options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures, if so requested by the victim and such accommodations are reasonably available, regardless of whether the misconduct is reported to campus police or local law enforcement.
- Victims have the right to request confidentiality from the accused.
- Victims have the right to be free from retaliation for filing an institutional complaint or report.

- Victims have the right to file a complaint with the U.S. Department of Justice and/or the U.S. Department of Education Office for Civil Rights.
- Rights When a Victim Reports to a Wisconsin Law Enforcement Agency
- All victims of crime in Wisconsin who report to law enforcement are entitled to crime victim rights outlined in Chapter 950 of the Wisconsin Statute.
- These rights include: the right to be treated with fairness, dignity, and respect for their privacy by public officials, employees or agencies; the right to have their interest considered when the court is deciding whether to grant a continuance in the case; the right to be provided with appropriate intercession services to ensure that employers of victims will cooperate with the criminal justice process in order to minimize an employee's loss of pay and other benefits resulting from court appearances; and the right to have the opportunity to consult with the prosecution in a case brought in a court of criminal jurisdiction.

- Crime victims in the State of Wisconsin have the right to apply for Crime Victim Compensation, which helps pay for unreimbursed expenses that are the result of crimes causing personal injury or death, including lost wages, counseling, medical costs, and replacement of property held as evidence.
- Rights When Seeking Forensic Nurse Examiner Services
- Victims may obtain a sexual assault medical forensic examination without incurring out-of-pocket costs for that exam regardless of their decision to report to law enforcement.
- Victims of sexual assault who seek emergency services at a hospital have the right to be provided with the option to receive emergency contraception at the hospital per Wisconsin Statute 50.375.

Rights When Alcohol or Drugs Are Involved

Per UWL's Policy on Sexual Harassment and Sexual Violence, individuals, including complainants, respondents, and witnesses, who have made a complaint or participated in an investigation, proceeding or hearing regarding incidents of sexual harassment or sexual violence generally will not be issued citations by campus law enforcement or subject to disciplinary sanctions for violations relating to the personal use of drugs or alcohol during the alleged incident, unless the institution determines that the violation was egregious and/or placed the health or safety of any person at risk and was beyond the amnesty provided by state law.

Rights In the Disciplinary Process

For program participants, sanctions may include restrictions upon participation in or exclusion from the program. For the purposes of minors participating in UWL youth programs or activities, the following rights will be guaranteed in any sexual harassment or sexual violence disciplinary process:

- Disciplinary proceedings that provide a prompt, fair, and impartial investigation and resolution.
- The same opportunity to have others present throughout disciplinary proceedings as the accused, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.
- The complainant (the person alleging the misconduct) and the respondent (the person accused of misconduct) have an equal opportunity to participate in the investigation and any subsequent hearing.
- Disciplinary proceedings that are conducted by officials who receive annual training on the issues related to sexual harassment and sexual violence and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- Both parties shall be simultaneously informed, in writing, of the outcome of any disciplinary proceeding; UW-Madison's procedures for the complainant and respondent to appeal the results of the proceeding; of any change to the results that occurs prior to the time that such results become final; and of when such results become final. At no time can a complainant be required to keep the outcome confidential, or be prohibited from discussing the case.
- The complainant shall have the same rights to appeal as the respondent.

Confidentiality

When a participant in a youth program experiences sexual misconduct in a UWL program or activity, the staff members working in the program or activity are obligated to report the incident to the university or local authorities. When the university office or official is not explicitly designated as confidential, UWL takes every precaution to protect victim privacy and confidentiality by sharing information only with university officials who have a legitimate educational interest and/or those who need to know for the purposes of providing an institutional response.

In an effort to protect victim safety and privacy, UWL maintains information about sexual misconduct in a secure manner. If the university has notice of an incident, UWL will balance the victim's request to keep identifying information confidential with the mandate under Title IX and university policy to investigate hostile environments.

To the extent permissible by law, UWL will endeavor to keep victim and necessary party information private. However, once a report is made to the university, or the university has notice of an incident of sexual harassment or sexual violence, confidentiality cannot be guaranteed unless that information is reported directly to one of the confidential resources listed on [page 7](#).

UWL will strive to maintain as confidential any accommodations or protective measures provided to the victim, but keeping information confidential may limit UWL's ability to provide accommodations or protective measures.

For victims who report to non-confidential sources, reports of sexual harassment or sexual violence are directed to the Title IX Coordinator, who will share relevant information only with those who need to know, such as Deputy Title IX Coordinators, complaint investigators, and other individuals who are responsible for handling the university's response to incidents, or as necessary to comply with the Wisconsin Public Records law, a valid subpoena, a lawful discovery request, or a governmental inquiry or investigation.

UWL employees are not able to maintain confidentiality when learning of or suspecting child abuse or neglect. They must report child abuse or neglect to Child Protective Services or local law enforcement.

For Clery Act reporting and disclosures, a victim's name or identifying information will never appear in a Crime Warning, on the Daily Crime Log or in the Annual Security Report. UWL will redact a victim's identifying information when responding to requests for information pursuant to the Wisconsin Public Records law.

The university also will not disclose identifiable information about research subjects if prohibited by an NIH-issued Certificate of Confidentiality, HIPAA regulations and state laws pertaining to the privacy of health information or promises of confidentiality made to research subjects pursuant to the federally required consent form and authorization form. UWL must respond to valid subpoenas that are not prohibited by other applicable law, and may not be able to redact information when responding to a subpoena.

Child Abuse or Neglect

While child abuse and neglect is different than sexual harassment and sexual violence, there are situations where sexual violence against a minor overlaps with child abuse. For example, sexual assault of a minor is also considered child abuse. The following information defines the different types of child abuse and neglect. For more information on reporting child abuse or neglect, see [page 4](#).

Physical Abuse

Physical abuse is physical injury inflicted on a child by other than accidental means. This may include lacerations, fractured bones, burns, internal injuries, or severe or frequent bruising. Signs of physical abuse include:

- Unexplained burns on palms, soles of feet, back
- Feeling afraid to go home
- Injuries in the shape of an object (e.g., a belt or cord)

Sexual Abuse

Sexual abuse is sexual intercourse or sexual touching of a child; recording or displaying of a child engaged in sexually explicit conduct; forcing a child to view or listen to sexual activity; exposing genitals or the pubic area to a child or exposing a child's genitals or pubic area for purposes of sexual gratification; or permitting, allowing, or encouraging a child to engage in prostitution. Signs of sexual abuse include:

- Pain, swelling or itching in the genital area
- Refusal to take part in gym or other exercises
- Unusual interest in sex for the child's age
- Regressive or childlike behavior

Note: Sexual abuse does not include consensual sexual contact with anyone aged 16-17 years old.

Emotional Abuse

Emotional abuse is harm to a child's psychological or intellectual functioning for which the child's parent or caretaker has neglected, refused, or been unable (for reasons other than poverty) to obtain the necessary treatment or take steps to reduce the symptoms. Signs of emotional abuse include:

- Low self-esteem
- Severe depression or anxiety
- Withdrawal
- Aggression

Neglect

Neglect is when a parent or caretaker fails, refuses, or is unable (for reasons other than poverty) to provide the necessary care, food, clothing, medical care, or shelter, which seriously endangers the physical health of the child. Signs of neglect include:

- Poor hygiene or odor
- Being inappropriately dressed for weather
- Constant hunger; begging for or stealing food
- Extreme willingness to please

Threatened Abuse or Neglect

Threatened abuse or neglect refers to behaviors or conditions a child is exposed to that are dangerous to the child and likely to result in abuse or neglect. Signs of threatened abuse or neglect include:

- Exposure to violence, even if a child has not yet been injured
- An escalating pattern of corporal punishment that increases in severity or frequency
- An impaired caregiver, when there is no one else in the home to provide necessary care or protection
- Definitions

Monica Yang
Coordinator for Youth Protection Services
Division of Diversity & Inclusion

145 Graff Main Hall
1725 State St
La Crosse, WI 54601
608-785-5099

youthprotection@uwlax.edu