

# Walla Walla Community College 2024 Annual Security Report

Reflects data from the 2023 calendar year



Published by the Walla Walla Community College Campus Security and Environmental Health and Safety Department

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## **A Message from the Director of Campus Security and Environmental Health and Safety**

The Walla Walla Community College (WWCC) Campus Security and Environmental Health and Safety Department (Campus Security) presents this Annual Security Report for the 2023 calendar year. This report contains information required by the Department of Education in compliance with the Jeanne Clery Disclosure of the Campus Security Policy and Campus Crime Statistics Act.

The intent of this report is to increase campus safety through knowledge, as an informed community is better able to protect itself. Security is everyone's responsibility, and students and employees are encouraged to be responsible for their own security and the security of others. If you see something, say something.

This report provides procedures by which WWCC has partnered with the communities it serves to maintain campus safety, options for seeking aid and reporting crimes, and crime statistics from the last three calendar years. From this information, readers can better judge the safety of WWCC campuses, facilities and surrounding areas.

The ongoing mission of this department is to address safety issues and criminal behavior occurring on or around campus and community college resources, and provide the college community with appropriate options to aid in resolution of, and recovery from, these issues. You as the community are encouraged to report all criminal and safety issues to this department for appropriate action.

### **Tracy Klem**

Director, Campus Security and Environmental Health and Safety Department  
Walla Walla Community College

## Walla Walla Community College

Walla Walla Community College was established in 1967 and currently provides instruction in Walla Walla and Clarkston, as well as the Washington State Penitentiary in Walla Walla and Coyote Ridge Corrections Center in Connell.

Walla Walla Community College has been continuously accredited since 1969 by the Northwest Commission on Colleges and Universities, which is recognized as a reliable authority on regional institutional accreditation by the US Department of Education.

Walla Walla Community College provides no on or off-campus student housing, negating federal requirements for an annual fire report, fire log, and missing persons policy. Additionally, there are no officially recognized student organizations owning property for purposes of non-campus property.

## WWCC Campus Security and Environmental Health and Safety Department

The Walla Walla Community College Campus Security and Environmental Safety Department (Campus Security) is a non-commissioned (having no arrest authority) entity that works with local law enforcement in Walla Walla and Clarkston who have jurisdiction over the campuses to ensure the safety and security of the campuses. Duties of this department include safety and prevention programs, emergency management and environmental health functions, incident and accident reporting and Clery act compliance. A memorandum of understanding between the college and the Walla Walla Police Department [here](#) and in Appendix I exists for the prevention and investigation of sexual assault occurring on the Walla Walla Community College campus.

This department operates Monday through Friday 7:30 am to 4:30 pm, and is located in office 240B of the main building (D) on the Walla Walla campus located at 500 N Tausick Way in Walla Walla, WA. The department can be reached at [campussafety@wwcc.edu](mailto:campussafety@wwcc.edu) or (509)526-7233 (SAFE).

## The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)

On April 5, 1986, the 19-year-old, first-year university student Jeanne Clery was sexually assaulted and murdered in her Lehigh University dormitory room in Bethlehem, Pennsylvania. Upon discovery of the occurrence of 38 violent crimes on the Lehigh University campus within the three years prior to Clery's death—none disclosed by the university—the Clery family championed the federal law requiring institutions of higher education to disclose crime statistics for violent crimes occurring on or around their campuses. This law was enacted in 1990 and has been amended on a regular basis since that time. For additional information, you may visit the Clery website at [www.clerycenter.org](http://www.clerycenter.org).

The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, found in 20 U. S. Code 1092 and 34 CFR 668.46, requires institutions of higher education receiving federal funding to:

- Collect, classify and count crime report statistics for geography of campus property, non-campus property and adjacent public property used by the college community immediately accessible from campus for publication in an annual security report.

- Publish an annual security report by October 1 each year that includes the prior three years of crime statistics, established campus security policies, and information regarding programs available to educate the college community on safety and crime prevention ([WWCC Policy 3540](#))
- Publish a statement of current campus policy regarding procedures for the reporting of crime and emergencies occurring on campus and the college’s response to such reports ([WWCC Policy 3510](#))
- Establish and implement emergency notification procedures for situations that pose, “an immediate threat to the health or safety of students and employees on campus” ([WWCC Policy 3530](#))
- Provide timely warning notifications for crimes occurring in campus, non-campus and adjacent public properties if a serious or continuing threat exists ([WWCC Policy 3520](#)).
- Publish a statement of current policy concerning security and access to campus facilities, as well as security considerations used in maintenance of campus facilities ([WWCC Policy 3550](#) , [WWCC Policy 3560](#) ).
- Publish a statement concerning the law enforcement authority of campus security, working relationship of campus security with law enforcement personnel, and statement encouraging the accurate and prompt reporting of crimes when the victim of such crime elects or is unable to make such report.
- Maintain a public daily crime log of all crimes reported to the Campus Security and Environmental Safety Department occurring on the mentioned geography ([Daily Crime Log](#) ).
- Disclose procedures for institutional disciplinary actions regarding violations of drug, liquor law, domestic & dating violence laws, and stalking ([WWCC Student Code of Conduct](#) , [WWCC Student Code of Conduct Title IX Rules](#), [WWCC Title IX Administrative Procedure](#) , [WWCC Drug Prevention Program](#)

Walla Walla Community College is committed to fulfilling the requirements articulated in this act.

### Annual Security Report (ASR) Preparation and Availability

The Annual Security Report is a cooperative effort coordinated by Walla Walla Community College Campus Security with Campus Life, Student Conduct, Human Resources, Campus Deans, Continuing Education, Athletics, Campus Security Authorities and law enforcement agencies with jurisdiction over the college’s Clery geography.

College [WWCC Policy 3540](#) provides guidelines for this report. In accordance with this policy:

- Campus Security maintains all reports of criminal activity on WWCC Clery geography.
- Campus Security coordinates with the Student Conduct Officer and Title IX Officer for exchange of information regarding crimes and violations within WWCC Clery geography.
- Campus Security maintains communication with WWCC [Campus Security Authorities](#) to assure crime reports are documented. Online submission of reports can be completed [here](#).
- Campus Security coordinates with all college departments to maintain a listing of non-campus locations as defined by the Clery act. These addresses are used for communications with jurisdictional law enforcement regarding crime statistics outlined in the Clery act. Appendix C provides a listing of contacted police agencies.



- Campus Security maintains communication with Walla Walla Police Department and Clarkston Police Department to maintain safety on both campuses and crime statistics for on-campus, non-campus and adjacent public property.

The college community is advised of its availability on the website prior to or on October 1 of each year, and reminded of its existence and location quarterly. Notice of the availability of the ASR is also published on outreach materials to prospective students and notice is provided to prospective employees on the job announcements page. A paper copy of the report may be obtained by visiting the Campus Security and Environmental Health and Safety Department located in the Main Building (D) of the Walla Walla campus, by calling 509-526-7233 or emailing [campussafety@wwcc.edu](mailto:campussafety@wwcc.edu).

### Statistical Disclosure of Reported Incidents

All statistics compiled in this report are reported to the college community and are also submitted to the United States Department of Education (USDOE). Statistical information gathered by the USDOE is available online at <https://ope.ed.gov/campussafety/#/>. The [Annual Security Report and Daily Crime Logs](#) are available on the WWCC website under Campus Safety & Security Clery Act Compliance tabs.

## Clery Reportable Offenses with Definitions

The following is a listing of categories of Clery crimes with their definitions. Appendix A provides the Washington State Laws most relating to the definitions of Clery offenses. Due to disparity between Washington State Law and Federal Law, not all situations satisfying the elements of state law necessarily fit the Clery definitions. The determination if the state law situation fits the Clery definitions, and thus be included in these statistics, will be made on a case by case basis. Clery reportable offenses are broken down into four general crime categories: Criminal Offenses, Hate Crimes, Violence Against Women Act (VAWA) Offenses, and Arrests and Referrals for Disciplinary Actions.

### Primary Criminal Offenses

**Criminal Homicide:** These offenses are separated into two categories: Murder and Non-Negligent Manslaughter, and Manslaughter by Negligence.

**Murder and Non-Negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence** is defined as the killing of another person through gross negligence.

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

**Note:** Per Washington State Law ([RCW 9A.44.010](#)), "Consent" means that at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

- **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 the consent of the victim. This offense includes the rape of both males and females.

- **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.
- **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. Count one offense per victim.
- **Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent. Count one offense per victim.

**Robbery:** 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.

**Aggravated Assault:** 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.

**Burglary:** Burglary is the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft:** Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.

**Arson:** 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.

## Hate Crimes

Hate crimes for Clery purposes are defined as any of the aforementioned crimes plus the crimes of larceny-theft, simple assault, intimidation, vandalism, and any other crime involving bodily injury to any person in which the victim was intentionally selected because of the offender's bias against the victim. Definitions of the additional crimes counted if the victim was intentionally selected due to the offender's bias are as follows;

**Larceny-Theft** is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR.) Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

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

**Intimidation** is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/Damage/Vandalism of Property** 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 it.

### *Bias Categories*

The Clery Act defines the bias categories reportable as:

1. **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, Blacks or African Americans, Whites.
2. **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, Atheists.
3. **Sexual Orientation.** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
4. **Gender.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
5. **Gender Identity.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
6. **Ethnicity.** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.
7. **National Origin.** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
8. **Disability.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

### *Violence Against Women's Act (VAWA)*

The Violence Against Women's Act (VAWA) provision added **domestic violence, dating violence, and stalking** to the categories.

The following describes each of the reportable offenses:

**Domestic Violence** – 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;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner
- By a person similarly situated to a spouse of the victim under the domestic of family violence laws of the jurisdiction in which the crime 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.

For purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act Reporting.

**Dating Violence** – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting 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.

For purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act Reporting.

**Stalking** - 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.

For purposes of this definition-

- ***Course of conduct*** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- ***Reasonable person*** means a reasonable person under similar circumstances and with similar identities to the victim.
- ***Substantial emotional distress*** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

For the purposes of complying with the requirements, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### Arrests and Referrals for Disciplinary Action

Arrests and Referrals for Disciplinary Action for Weapons—Carrying, Possessing, etc., Law Violations, Drug Abuse Violations and Liquor Law Violations.

Weapons: Carrying, Possessing, Etc., is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting

instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Drug Abuse Violations are defined as the violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Liquor Law Violations are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

### Unfounded Crimes

For Clery Act purposes, the standard for unfounding a reported crime is very high. Walla Walla Community College may classify a crime as unfounded only after a full investigation by sworn or commissioned law enforcement personnel. A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. Campus Security personnel are not authorized to unfound crimes that have been reported to the Campus Security and Environmental Health and Safety Department.

### Hazing

Hazing is not a Clery reportable crime at this time through the Department of Education, however in 2022 the State of Washington enacted a series of laws related to Hazing, making it a criminal offense. [RCW 28B.10.900](#) defines Hazing, “as used in RCW [28B.10.901](#) and [28B.10.902](#), "hazing" includes any act committed as part of a person's recruitment, initiation, pledging, admission into, or affiliation with a student organization, athletic team, or living group, or any pastime or amusement engaged in with respect to such an organization, athletic team, or living group that causes, or is likely to cause, bodily danger or physical harm, or serious psychological or emotional harm, to any student or other person attending a public or private institution of higher education or other postsecondary educational institution in this state, including causing, directing, coercing, or forcing a person to consume any food, liquid, alcohol, drug, or other substance which subjects the person to risk of such harm, regardless of the person's willingness to participate. "Hazing" does not include customary athletic events or other similar contests or competitions.”

[RCW 28B.10.901](#) prohibits this activity, making the offense a gross misdemeanor or class C felony dependent upon circumstances. [WAC 132T-100-135](#) in the Walla Walla Community College Student Conduct rules prohibits Hazing on or off Walla Walla Community College premises. There have been no reported acts of hazing at WWCC during time the laws have been in effect.

## Walla Walla Community College Campus Crime Statistics

<b>Criminal Offenses</b>	<b>Year</b>	<b>On-Campus Property Walla Walla Campus</b>	<b>Public Property Walla Walla Campus</b>	<b>Non-Campus Property Walla Walla Campus</b>	<b>Unfounded Crimes</b>	<b>On-Campus Property Clarkston Campus</b>	<b>Public Property Clarkston Campus</b>	<b>Non-Campus Property Clarkston Campus</b>	<b>Unfounded Crimes</b>
<b>Murder and Non Negligent Manslaughter</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Manslaughter by Negligence</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Rape</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Fondling</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Incest</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Statutory Rape</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Robbery</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Aggravated Assault</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Burglary</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	<b>2</b>	0	0	0	<b>0</b>	0	0	0
	<b>2021</b>	<b>2</b>	0	0	0	<b>2</b>	0	0	0
<b>Motor Vehicle Theft</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	<b>1</b>	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Arson</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0

<b>VAWA Offenses</b>	<b>Year</b>	<b>On-Campus Property Walla Walla Campus</b>	<b>Public Property Walla Walla Campus</b>	<b>Non-Campus Property Walla Walla Campus</b>	<b>Unfounded Crimes</b>	<b>On-Campus Property Clarkston Campus</b>	<b>Public Property Clarkston Campus</b>	<b>Non-Campus Property Clarkston Campus</b>	<b>Unfounded Crimes</b>
<b>Domestic Violence</b>	<b>2023</b>	<b>1</b>	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Dating Violence</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Stalking</b>	<b>2023</b>	<b>1</b>	0	0	0	0	0	0	0
	<b>2022</b>	<b>2</b>	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Arrests and Referrals for Disciplinary Action</b>	<b>Year</b>	<b>On-Campus Property Walla Walla Campus</b>	<b>Public Property Walla Walla Campus</b>	<b>Non-Campus Property Walla Walla Campus</b>	<b>Unfounded Crimes</b>	<b>On-Campus Property Clarkston Campus</b>	<b>Public Property Clarkston Campus</b>	<b>Non-Campus Property Clarkston Campus</b>	<b>Unfounded Crimes</b>
<b>Arrest Weapons Violations</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Arrest for Drug Abuse Violations</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Arrest for Liquor Law Violations</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Disciplinary Action for Weapons Violations</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Disciplinary Action for Drug Abuse Violations</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0
<b>Disciplinary Action for Liquor Law Violations</b>	<b>2023</b>	0	0	0	0	0	0	0	0
	<b>2022</b>	0	0	0	0	0	0	0	0
	<b>2021</b>	0	0	0	0	0	0	0	0

\* Walla Walla Community College does not offer student housing on either of its campuses.

\*\* There were no hate crimes reported in 2021, 2022 or 2023.

## Clery Reportable Geography

There are three categories of Clery reportable geography that are utilized by Walla Walla Community College:

On-Campus - Any building or property owned or controlled by Walla Walla Community College, within the same reasonably contiguous geographic area of the college, used by the college in direct support of, or in a manner related to educational purposes. Also included is property within the same reasonably contiguous geographic area of the institution that is owned by the college but controlled by another person, which is used by students, and supports institution purposes, such as retail vendors or book stores.

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

Non-Campus - Any building or property owned or controlled by Walla Walla Community College that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of Walla Walla Community College.

**Appendix D** of this report contains geographical maps that provide a detailed image of all Walla Walla Community College property and facilities and how each is categorized under Clery Geography.

## Exemptions

Walla Walla Community College does not recognize any off or non-campus student organizations, thus there are no statistics pertaining to organizations. The college does not have on-campus housing and is thus exempt from reporting on missing student notification procedures, as well as exempt from maintaining a fire log or publishing a fire safety report.

### Walla Walla Community College On-Campus Locations

Walla Walla Community College operates four campuses in the State of Washington. The main campus is located in Walla Walla, WA with a satellite campus in Clarkston, WA. The other two campuses are within the jurisdiction of the Washington State Department of Corrections at the Washington State Penitentiary in Walla Walla, WA and in the Coyote Ridge Corrections Center in Connell, WA. As being under control of the Department of Corrections, these two campuses are exempt from Clery reporting. The following is a list of all facilities owned or operated by Walla Walla Community College that constitute on-campus property in Walla Walla, WA and Clarkston, WA.

#### Walla Walla Washington Campus

- Dietrich Activity Center located at 510 Campus Loop Walla Walla, WA 99362
- Parent Child Center located at 514 Campus Loop Walla Walla, WA 99362
- Main building located at 520 Campus Loop Walla Walla, WA 99362
- Student Recreation Center located at 530 Campus Loop Walla Walla, WA 99362
- Health Science and Performing Arts located at 535 Campus Loop Walla Walla, WA 99362



- Technology Center located at 537 Campus Loop Walla Walla, WA 99362
- Professional Technical Building located at 550 Campus Loop Walla Walla, WA 99362
- Facilities/Wind Energy Tech located at 618 Water Center Dr Walla Walla, WA 99362
- Day Care Building located at 611 Water Center Dr Walla Walla, WA 99362
- Diesel Mechanics 1 located at 621 Water Center Dr Walla Walla, WA 99362
- Diesel Mechanics 2 located at 623 Water Center Dr Walla Walla, WA 99362
- Grounds Maintenance located at 625 Water Center Dr Walla Walla, WA 99362
- John Deere Training Center located at 629 Water Center Dr Walla Walla, WA 99362
- Greenhouse located at 630 Water Center Dr Walla Walla, WA 99362
- Water & Environmental Center located at 640 Water Center Dr Walla Walla, WA 99362
- Center for Enology and Viticulture located at 3020 E. Isaacs Ave Walla Walla, WA 99362
- Automotive Technology Building located at 3060 E. Isaacs Ave Walla Walla, WA 99362

### Clarkston Washington Campus

- Main Building and Health Science Building located at 1470 Bridge St Clarkston, WA 99403
- Fitness Center located at 1477 Fair St Clarkston, WA 99403
- Tender Care 1 Building located at 1499 Fair St Clarkston, WA 99403
- Tender Care 2 Building located at 1431 Fair St Clarkston, WA 99403
- Horse Stable Building located at 1433 Fair St Clarkston, WA 99403
- Workforce Building located at 1463 Fair St Clarkston, WA 99403
- Business Development Building located at 1465 Fair St Clarkston, WA 99403

**Note:** Crime statistics for privately owned homes or businesses and for public transit buses at the public bus stops adjacent to the campus are not included in this report.

### Walla Walla Community College Public Property

All public property including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from campus is considered Walla Walla Community College's public geography. For the Walla Walla campus, this public property includes portions of Mill Creek trail that run adjacent to the campus, part of Tausick Way that runs adjacent to the campus, parts of East Isaacs Avenue that run along the campus.

For the Clarkston campus, public property includes the streets and sidewalks immediately adjacent to the campus on Bridge Street, up until the Les Schwab Tire Center which is privately owned. Additionally this includes part of Fair Street that runs immediately adjacent to the campus and part of WA-128 that runs adjacent to the campus. This also includes the sidewalks along those streets.

**Appendix D** of this report contains geographical maps that provide a detailed image of all Walla Walla Community College property and facilities and how each is categorized under Clery Geography.

### Walla Walla Community College Non-Campus Property

Walla Walla Community College utilizes non-campus locations. Many of our non-campus locations are predominately used for other programs (including Continuing Education, Early Childhood Education, Transitional Studies, etc.). These locations are primarily the same, but some change from quarter to quarter, depending on program needs and enrollment. Additionally, Walla Walla Community College tracks all student travel to determine what constitutes repeated use under the

Clery Act. These areas are added to the non-campus locations. Walla Walla Community College has a system to identify any changes to our non-campus locations and has a process in place to query all appropriate police jurisdictions for needed crime data. Walla Walla Community College's non-campus property is listed in **Appendix B** of this document.

**Note:** Walla Walla Community College does not have buildings owned by any student organization.

## Crime Reporting, Resources, and Timely Warning Notifications

- Reporting may occur at Walla Walla Community College several different ways. It is encouraged that knowledgeable people make prompt and accurate reports to campus security and local police when the victim is unwilling or unable to make a report. Per Emergency and Crime Reporting [Policy 3510](#) , crimes and emergent situations on campus may be reported;
- In person at the office in the Walla Walla Campus Main Building (D) Monday-Friday 7:30-4:30
- Via email at [campussafety@wwcc.edu](mailto:campussafety@wwcc.edu)
- Via telephone at (509)526-SAFE(7233)
- To Walla Walla Community College [Campus Security Authorities](#) (Appendix H)
- To professional counselors available at both Walla Walla and Clarkston campuses
- To Title IX Coordinators take reports of Title IX violations including sexual harassment and sexual assault. The WWCC Title IX Coordinator for employees is the Vice President of Human Resources, and Title IX violations for students are reported to the Title IX Deputy Coordinator.

It is encouraged to report any incident that has potential to cause and immediate or continued threat to the college community directly to Campus Security to facilitate the issuance of a timely warning when warranted, in compliance with the Clery Act, and per WWCC [Timely Warning Notification Administrative Policy 3520](#) .

A timely warning is a Clery Act requirement indicating that the college must notify the campus community in a timely manner when a Clery Act crime has been committed on Clery geography and is determined by the college to represent a serious or continuing threat to the college community. This notification is completed via the emergency notification system employing phone call, text and email. A listing of timely warnings issued is available on the WWCC website [here](#) .

Additional community reporting resources are also noted.

### **WWCC Confidential Counselors**

Walla Walla Campus  
Caley Moyer and Paris Davis  
509-527-4262

### **WWCC Confidential Counselors**

Clarkston Campus  
Emma Carpenter  
509.758.1713

### **WWCC Title IX Interim Coordinator**

Dr. Chad Miltenberger  
1470 Bridge St Clarkston, WA  
Office 170 CLK 509-758-1711

## Limited Voluntary Confidential Reporting

Walla Walla Community College encourages anyone who is the victim or witness to any crime to promptly report the incident to Campus Security and Environmental Health or Safety or local law enforcement. Because these reports are considered public records under state law, Walla Walla Community College cannot guarantee confidentiality. Anonymous reports to Campus Security Authorities or Campus Security may be filed for statistical reporting purposes. An individual's privacy concerns are weighed against the needs of the College to respond to certain incidents and crimes. To the greatest extent possible, all reports will remain private.

In some situations, Walla Walla Community College may need to take reasonable action in response to any crime report to protect the safety of the campus community. Information may be shared with appropriate departments and agencies under a need-to know basis when it pertains to investigative needs and safety concerns of the campus community. All reports submitted on a confidential or anonymous basis are evaluated for purposes of issuing a Timely Warning or Emergency Notification as well as for inclusion in the annual crime statistics. With such information, the College can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential dangers.

## Campus Security Authority Reporting option

Campus Security Authorities (CSAs) are faculty or staff members of Walla Walla Community College who, because of their specific job descriptions, are classified as Campus Security Authorities by the Jeanne Clery Act. These individuals are required by law to forward reports regarding violations of the Clery Act to the Campus Security and Environmental Health and Safety Department. Under most circumstances, as permitted by law, they may be able to maintain certain levels of confidentiality when forwarding the information to the Campus Security and Environmental Health and Safety Department.

### Description of Campus Security Authorities:

- All members of the Campus Security and Environmental Health and Safety Department
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in Walla Walla Community College's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. (i.e. Title IX Coordinator)
- An official Walla Walla Community College who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An **official** is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

Campus Security Authorities at Walla Walla Community College are typically comprised of coaches, deans, club advisors and department directors. A complete list of individuals and their positions that have Campus Security Authority responsibility at Walla Walla Community College can be found in Appendix H and online at [WWCC Campus Security Authorities](#).

## Walla Walla Community College Counselor Reporting Option

You are encouraged to speak to the counselors located in the Counseling/Advising Center at Walla Walla Community College to report any incidents involving misconduct, sexual or non-sexual. Information disclosed by the student during counseling is protected under confidentiality regulations of Washington law (RCW 18.225.100), but information may be released under the following exceptions as mandated by Washington law (RCW 18.225.105):

1. With your written authorization for use and disclosure of information, or in the case of death or disability, the authorization of your personal representative.
2. To any individual if the counselor reasonably believes that disclosure will avoid or minimize a serious, foreseeable or imminent risk to you or any other individual.
3. When there is reasonable cause to believe that a child, dependent adult or vulnerable person is being or has been abused or neglected.
4. When the student waives the privilege of confidentiality by bringing charges, complaints, lawsuit or dispute against the counselor.
5. If the counselor receives a subpoena from the court to provide information. If this happens, only the minimum information necessary to satisfy the court's order will be provided.

**For the Walla Walla Campus:** Caley Moyer and Paris Davis can be reached at 509-527-4262 or at the Advising/Counseling Center located in the Main Building.

**For the Clarkston Campus:** Emmalee Carpenter can be reached at 509-758-1713 or in the Main building at the counseling office.

Walla Walla Community College will always encourage members of the campus counseling staff to provide information regarding confidential crime reporting to the individuals receiving counseling services.

## Title IX Coordinator Option

You are encouraged to speak to the Title IX Coordinator regarding complaints of discrimination, sexual harassment, rape, sexual assault, sexual battery or sexual coercion. Walla Walla Community College will seek to protect the privacy of the complainant to the full extent possible consistent with the legal obligation to investigate, take appropriate remedial and/or disciplinary action and comply with federal and state law, as well as Walla Walla Community College policies and procedures. Although Walla Walla Community College will attempt to honor complainants' requests for confidentiality, it cannot guarantee complete confidentiality. Determinations regarding how to handle requests for confidentiality will be made by the Title IX/EEO Coordinator.

**WWCC Title IX Interim Coordinator  
Clarkston Campus Dean  
Dr. Chad Miltenberger  
509-758-1711  
Clarkston Campus**

The College is obligated to address acts of sex-based misconduct (including sexual harassment and/or retaliation) of which a responsible employee knew or should have known occurred. A "responsible employee" is any employee who: Has the authority to take action to redress sex-based misconduct; has been given the duty of reporting incidents of sex-based misconduct or any other misconduct by students; or a student could reasonably believe has this authority or duty.

A responsible employee must report to the Title IX/EEO Coordinator all relevant details about alleged sex-based misconduct (including sexual harassment and/or retaliation) that the student, employee or other person has shared and that the College will need to determine what occurred and to resolve the situation. This includes the names of the alleged respondent (if known), the student complainant or other person who experienced the alleged sex-based misconduct, others involved in the alleged sex-based misconduct, as well as relevant facts, including the date, time and location.

A responsible employee should provide the following information to a complainant:

1. The reporting obligations (discussed above) of the responsible employee;
2. Complainant's option to request confidentiality and available confidential resources;
3. Complainant's right to file a Title IX complaint with the College; and
4. Complainant's right to report a crime to local law enforcement.

For convenience of student complaint reporting, there are College-designated responsible employees and contact information noted on the College's Webpage, with all reports referred by the designated responsible employees to the Title IX/EEO Coordinator. For a staff complaint of sex-based misconduct (including sexual harassment and/or retaliation) by a student or another staff member, the staff complaint may be reported to the immediate supervisor who is a responsible employee for reporting purposes. The supervisor must report the complaint to the Title IX/EEO Coordinator. A direct report to the Title IX/EEO Coordinator will be more expeditious in terms of processing the complaint. If the complaint is against the Title IX/EEO Coordinator or his or her relative attending or working for the College, the complainant should report the matter directly to the President's Office for referral to an alternate designee.

### **VIOLATIONS OF THE STUDENT CODE OF CONDUCT**

Violations of the Student Code of Conduct may be reported directly to:

**Clarkston Campus Dean/Student Conduct Officer:**  
**Dr. Chad Miltenberger**  
**509-758-1711**  
**Clarkston Campus**

**VP of Student Services/Student Conduct Officer:**  
**Dr. Graydon Stanley**  
**509-527-4264**  
**Walla Walla Campus**

You may also fill out a Student Behavior Incident Report which is sent directly to the Clarkston Campus Dean/Student Conduct Officer online. The report can be found here:

<https://www.wvcc.edu/current-students/make-a-report/>.

### **C.A.R.E. TEAM**

The Walla Walla Community College CARE Team is a behavior intervention team (BIT) that promotes student academic, emotional, and physical well-being and addresses safety concerns. The CARE Team consists of Walla Walla Community College personnel with expertise in student affairs, instruction, mental health, disability services, campus safety, student conduct, and college operations. The CARE Team is a comprehensive group that combines information about academic, emotional and physical health to create a more accurate picture of how a student is doing, with a goal of providing support to facilitate success.

The CARE Team is comprised of the following members:

- Graydon Stanley, Vice President of Student Services, co-chair
- Emma Carpenter, Business Technical Faculty/Counselor, co-chair
- Paris Davis, Faculty Counselor

- Heather Markwalter, Student Affairs Coordinator/Retention Specialist
- Tracy Klem, Director of Campus Security & Environmental Health and Safety
- Chad Miltenberger, Dean of the Clarkston Campus/Student Conduct Officer
- Kristen Duede, Disability Support Services Coordinator
- Kyler Roteliuk, Athletic Trainer

Depending on the situation, other faculty or staff with specific knowledge or responsibility may be called upon to assist the team. The team may also consult other individuals and community partners as needed. For more information about the CARE Team, or to report a concern, email [careteam@wwcc.edu](mailto:careteam@wwcc.edu).

### Daily Crime Log

In addition to maintaining incident reports, this department maintains the [Daily Crime Logs](#) for the Walla Walla and Clarkston campuses found on the WWCC website. The logs include reports from the prior 60 days, and any crime logs prior to 60 days can be made accessible within 2 business days upon request. The logs are updated within 48 hours of the crime report to this department. The only exceptions in the posting of crimes are:

- If the disclosure is prohibited by law
  - If the disclosure would jeopardize the confidentiality of the victim
- Posting of crimes reported may be temporarily withheld in some cases if the release of information would:

- Jeopardize an ongoing investigation
- Jeopardize the safety of an individual
- Cause a suspect to flee or evade detection, or
- Result in the destruction of evidence.

Information temporarily withheld from the daily crime log for any reason will be posted when the adverse or harmful effects are no longer likely.

## Emergency Planning, Response, and Notification

- In the event of an emergent situation, an emergency notification may be issued to the campus community via the mass notification system per WWCC Emergency Notification [Policy 3530](#) . Per the Clery Act, colleges are required to notify the campus community without delay upon confirmation of a significant emergency or dangerous situation occurring on campus involving the immediate threat to the health or safety of students or employees. This determination and notification content will be made by the director of Environmental Health and Safety which is confirmed by the College President or Vice President of Student Services if time permits. If it is determined that an Emergency Notification is warranted, the notification will be sent via the mass notification system.

### Emergency Response Procedures

The college community should first call or text 911 for any significant emergency (including medical) or dangerous situation involving an immediate or on-going threat to the campus. Campus Security and Environmental Health and Safety should be notified at 509-526-7233 (SAFE) anytime there is a

911 call or text made from or on campus. If the situation poses an immediate or impending threat to the campus community, the college will issue an emergency notification.

In the event of an evacuation on campus, all faculty, staff and students should report to the designated rally point unless otherwise directed. All individuals should avoid blocking drive lanes and sidewalk access to buildings so that emergency responders have a clear path. A copy of the Rally Point Maps can be found in **Appendix G**. Walla Walla Community College also utilizes First Aid Kits that are located throughout the Walla Walla and Clarkston campuses.

### Security, Access to and Maintenance of Campus Facilities

The Walla Walla Community College campuses are open to the public during business hours based on a schedule determined by College Administration, and is subject to change based on facility usage, or if there is a concern related to the safety or security of a member of the college or potential threat to college facilities. [Security and Access to Campus Facilities Policy 3550](#) articulates the guidelines for use of college property. Security considerations used in the maintenance of campus facilities can be found in [Policy 3560](#) .

## Education and Prevention Programs

As part of Walla Walla Community College's commitment to the safety, security and wellbeing of the college community, the college provides training in a variety of areas during new student or new employee orientation, quarterly and annually, as well as providing online trainings. The primary message of all awareness and crime prevention programs are to encourage the college community to be aware of and responsible for their own security as well as safety of others.

### Faculty and Staff Training

- All new faculty and staff review Walla Walla Community College's Employee and Faculty Handbook.
- All new faculty and staff review Walla Walla Community College's Emergency Procedures Handbook.
- All new faculty and staff review Walla Walla Community College's Policies and Procedures.
- All new faculty and staff must take a Safety Orientation Training within 3 months of employment.
- Information on personal safety, crime prevention, reporting and campus regulations are shared with employees through yearly email notifications and Campus Security and Environmental Health and Safety trainings.

### Student Training

- All new students review the Student Code of Conduct and Student Handbook.
- All new students are provided with Title IX online training.
- Information on personal safety, crime prevention, reporting, and campus regulations are shared with students through the First Year Experience and via a quarterly email notification. Run, Hide, Fight training is available to students online and 24-7 via web access.
- Information on drug use and WWCC policies are provided in the First Year Experience.
- Information regarding domestic violence, sexual assault and consent are provided to students in the First Year Experience.

## Drug and Alcohol Policies

WWCC values the health and safety of its students and employees, and therefore supports local, state, and federal laws concerning alcohol and illegal drugs. The College acknowledges that substance abuse is a serious, yet treatable condition that affects the productive lives of students and employees. Furthermore, the College pledges to work collaboratively with departments, agencies, and programs designed to reduce and eradicate the abuse of alcohol and drugs.

WWCC is an alcohol and drug free institution but, under certain circumstances, alcohol may be authorized at specific events. Students (and student organizations/clubs) and employees who unlawfully possess, use, manufacture, distribute, and/or illegally dispense alcohol or a controlled substance on college premises or during any college activity are subject to behavioral intervention or disciplinary action as outlined in the Student Code of Conduct, employee policies, other College policy, and applicable local, state, and federal laws. All employees are expected to report to work physically and mentally prepared to perform their assigned duties. No employee may report to work while under the influence of alcohol or any unlawful controlled substance.

The College maintains a drug and alcohol free environment in accordance with Federal and State policies. The College also maintains a tobacco free campus in accordance with the Tobacco Free Campus Policy: [Policy 2200](#) . Beginning fall of 2024 in compliance with state law, Naloxone and fentanyl test strips will be made available to students at various locations on Walla Walla and Clarkston campuses.

### Communication

WWCC is committed to ensuring that all students, faculty and staff are aware of the role they play in an alcohol and drug free campus. WWCC notifies employees of policies and programs related to alcohol and drug abuse upon hire and annually in accordance with college policies. Students are notified quarterly via email and annually via the student handbook. Additionally, students are notified of additional drug and alcohol policies upon acceptance to specific programs such as Nursing, Athletics, and Enology and Viticulture.

### Drug and Alcohol Abuse Prevention and Educational Programs

WWCC is committed to fostering a college environment where employees, students, and visitors can be free from the negative impacts of alcohol and drugs, while also benefiting from a safe, positive, and productive work, educational, and social environment in the College community. In support of this goal, the following provides information about the various College departments directly involved in working with students and employees, and the programs and measures implemented throughout the College to prevent the use of alcohol and other drugs.

#### *Human Resources*

The Human Resource office is responsible for the administration of policies, procedures and services to employees of the College. Communications are distributed to all full- and part-time employees, such as policies and services regarding alcohol and other drug use prevention and treatment options.

#### *Counseling Services*

The Counseling Center partners with several community organizations in providing a variety of educational and prevention programs throughout the academic year for students and employees including: Alcohol and Other Drug Prevention Programs; Substance Misuse and Consent



Presentations; the Warrior Wellness Canvas course with educational and resource materials; and Faculty/Staff consultation, support services and referrals related to helping students with alcohol or drug related challenges.

### *Athletics*

Any student athlete participating in any athletic program must sign a statement regarding their awareness of the College's policy regarding the use/misuse of alcohol, tobacco, or illicit drugs, and are also required to participate in the annual Athletics Department substance abuse awareness program. This program meets the specific needs of student athletes concerning awareness and knowledge of substance abuse.

### *Student Activities Office*

The Student Activities Office provides a diverse array of on-campus and off-campus substance free co-curricular and extracurricular programs. In addition to these programs, students can also join one of the 25+ student clubs, which are all committed to substance free activities, both on and off campus, regardless of age.

### *Academic Courses/Instruction*

SOC 204 Drugs and Society SOC 204 - a five (5) credit academic course, is an introduction to psychoactive drugs and their use and abuse from a sociological perspective. This course addresses the social, biological, and psychological factors associated with therapeutic use, recreational use, and abuse of drugs. This course provides an exploration of the impact of drugs on social institutions, including issues regarding regulation of drug use. Other topics include prevention and treatment.

FYE 101 First Year Experience Course FYE 101 - a three (3) credit academic course, offers students the opportunity to build relationships, discover college resources, and develop college success skills, including alcohol and drug abuse prevention and assisting students with identifying the various resources on campus for alcohol and drug abuse prevention, education, and treatment.

## **Student and Employee Possession, Use and Sale of Alcohol and Drugs**

### *College Sanctions*

The College responds to alcohol abuse and other drug activity by employees or students on a case by-case basis and in accordance with its Drug Free Workplace Policy. Details of each case are taken into consideration along with the outcome of any legal action against the individual. In addition to any penalties under federal, state, or local laws, employees and students found to be in violation of this administrative procedure may be subject to disciplinary sanctions consistent with employment contracts or the WWCC Student Code of Conduct. Sanctions imposed by the College can range from a warning or disciplinary action up to, and including, termination of employment or expulsion from school. Other potential sanctions may include referral for prosecution and may require participation in approved drug and/or alcohol abuse assistance or rehabilitation programs. Additionally, as required by law, the College will report to a federal agency any employee convicted of violating a criminal drug statute if the employee is involved in work supported by that federal agency.

### *Due Process*

WWCC seeks to ensure consistent enforcement of sanctions by providing evidence that similar infractions of the College's policies are treated in a similar manner. Due process for alleged violation of conduct for both employees and students are consistently upheld in accordance with Washington State laws, college policy, and applicable federal laws and regulations by Human Resources and the

Student Conduct Office. The Vice President of Human Resources facilitates investigation of all employee related allegations and the Student Conduct Officer for all student related allegations. Findings and disciplinary sanctions are determined in accordance with due process and based upon a preponderance of evidence.

### *Student Disciplinary Sanctions*

Behavioral intervention and/or disciplinary action may include, but is not limited to:

1. Disciplinary warning. A verbal statement to a student that there is a violation and that continued violation may be cause for further disciplinary action.
2. Written reprimand. Notice in writing that the student has violated one or more terms of this code of conduct and that continuation of the same or similar behavior may result in more severe disciplinary action.
3. Loss of privileges. Denial of specified privileges for a designated period of time. Services and approval to be withdrawn may include, but are not limited to, intramural sports, information technology services, library and/or tutoring services, club activities, student leadership roles, college facility use and rental, and involvement in organizational activities.
4. Loss of recognition. A student organization's recognition may be withheld permanently or for a specific period of time. Loss of recognition is defined as withholding college services or administrative approval from a student organization. Services and approval to be withdrawn may include, but are not limited to, funding, information technology services, college facility use, and involvement in organizational activities.
5. Disciplinary probation. Formal action placing specific conditions and restrictions upon the student's continued attendance depending upon the seriousness of the violation and which may include a deferred disciplinary sanction. If the student subject to a deferred disciplinary sanction is found in violation of any college rule during the time of disciplinary probation, the deferred disciplinary sanction, which may include, but is not limited to, a suspension or a dismissal from the college, shall take effect immediately without further review. Any such sanction shall be in addition to any sanction or conditions arising from the new violation. Probation may be for a limited period of time or may be for the duration of the student's attendance at the college. Written notice of disciplinary probation will specify the period of probation and any condition(s) upon which their continued enrollment is contingent. Such conditions may include, but not be limited to, adherence to terms of a behavior contract or limiting the student's participation in extracurricular activities or access to specific areas of the college's facilities. Disciplinary probation may be for a specified term or for a period which may extend to graduation or award of a degree or certificate or other termination of the student's enrollment in the college.
6. Removal from class. Behavior which has been disruptive to a class to the extent that the continued presence of the student in that class will impair, interrupt, or interfere with the instructor's ability to deliver instruction or other students' ability to obtain instruction, will result in a withdrawal from that class without a refund or grade penalty.
7. Disciplinary suspension. Separation of the student from the college for a definite period of time, after which the student is eligible to return. Conditions for readmission may apply. Students who are suspended may be denied access to all or any part of the campus or other facilities for the duration of the period of suspension. There will be no refund of tuition or fees for the quarter in which the action is taken.
8. Expulsion. Permanent separation of the student from the college. Students who are expelled may be permanently denied access to all or any part of the campus or other facilities. The revocation of all rights and privileges of membership in the college community and exclusion

- from the campus and college-owned or controlled facilities without any possibility of return. There will be no refund of tuition or fees for the quarter in which the action is taken.
9. Not in good standing. A student may be deemed "not in good standing" with the college. If so, the student shall be subject to the following restrictions:
  10. Ineligible to hold an office in any student organization recognized by the college or to hold any elected or appointed office of the college.
  11. Ineligible to represent the college to anyone outside the college community in any way, including representing the college at any official function, or any forms of intercollegiate competition or representation.
  12. Revocation of admission and/or degree or certificate. Admission to the college or a degree or certificate awarded from the college may be revoked for fraud, misrepresentation, or other violation of college standards in obtaining admission or the degree or certificate, or for other serious violations committed by a student prior to the award of a degree or certificate.
  13. Disciplinary terms and conditions that may be imposed alone or in conjunction with the imposition of a disciplinary sanction include, but are not limited to, the following:
  14. Restitution. A student may be required to make restitution for damage, loss, or injury or for reasonable costs incurred by the college in pursuing an investigation or disciplinary proceeding. This may take the form of appropriate service and/or monetary or material replacement. Failure to make restitution within thirty instructional days or any period set by the SCO, CRO, SCB, or president will result in an administrative hold being placed on the student's registration, which will prevent future enrollment until the restitution is complete.
  15. Discretionary conditions. Work assignments, essays, service to the college, or other related discretionary assignments.
  16. Professional evaluation. Referral for drug, alcohol, psychological, or medical evaluation by an appropriately certified or licensed professional may be required. The student may choose the professional within the scope of practice and with the professional credentials as defined by the college. The student will sign all necessary releases to allow the college access to any such evaluation. The student's return to college may be conditioned upon compliance with recommendations set forth in such a professional evaluation. If the evaluation indicates that the student is not capable of functioning within the college community, the student will remain suspended until future evaluation recommends that the student is capable of reentering the college and complying with the rules of conduct.
  17. No contact order. An order that prohibits direct or indirect physical, verbal, written, and/or any other form of communication or contact with an individual or group. Direct and indirect contact includes, but is not limited to, phone calls, letters, going within sight of places of work or residence, email, social media, etc.

### *Employee Disciplinary Sanctions*

In addition to student sanctions, the College is committed to ensuring there is consistent enforcement of policies and state and federal laws related to alcohol and other drug misuse or abuse by employees. Furthermore, program effectiveness is also measured by consistently addressing policy violations by College employees through the appropriate administrative processes for employee conduct. See Appendix A for Washington State drug laws.

### *Federal Drug Laws*

Sanctions for possession and trafficking of controlled substances under Title 21 United States Code (USC) Controlled Substances Act:

- 21 U.S.C. 844 (a) - Any individual who knowingly possesses a controlled substance that is listed in section 841(b)(1)(A) of this title in violation of section 844 of this title in an amount

that, as specified by regulation of the Attorney General, is a personal use amount shall be liable to the United States for a civil penalty in an amount not to exceed \$10,000 for each such violation.

- 21 U.S.C. 853 (A) (2) and 21 U.S.C. 881 (a) (4) and 21 U.S.C. 881 (a) (7) - Forfeiture and property used to possess a controlled substance if the offense is punishable by more than one year imprisonment Forfeiture of vehicles, boats, or aircraft used to transport or conceal a controlled substance. Civil fine of up to \$10,000.
- 21 U.S.C. 853a and 18 U.S.C. 922 (g) and prosecutions under 18 U.S.C. 922 (g)(8) - Denial of Federal benefits, such as student loans, grants, contracts, and licenses, up to 1 year for first offense, up to 5 years for subsequent offenses. Revocation of Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are within the authority of some Federal agencies. Ineligible to receive or purchase a firearm.

### Student and Employee Resources

Drug and alcohol dependency is a very serious problem for abusers and their families. Confidential help is available from counselors located in the Advising and Counseling Center, in addition to various resources within the Walla Walla community. Information on referral, assessment, support groups, and treatment services may be found on the WWCC Counseling Resources website.

Employees who need assistance with drug and alcohol dependency are encouraged to use resources available through the various state health insurance plans and to seek advice from the Employee Assistance Program, <https://www.fchn.com/Members/EAP> , 800.777.4114.

### Community Resources and Contacts

#### **Walla Walla, WA Campus**

City of Walla Walla Police Department  
54 E Moore St Walla Walla, WA 99362  
Emergency 911  
Non-Emergency 509-527-1960  
Crime Prevention Office 509-525-3342  
Domestic Violence Services 509-527-4434

#### City of Walla Walla Fire/Ambulance

Station 1  
200 S 12<sup>th</sup> Ave  
Walla Walla, WA 99362  
Emergency 911  
Non-Emergency 509-527-1960  
Station 509-527-4429

City of Walla Walla Fire/Ambulance  
170 N Wilbur Ave Walla Walla, WA 99362  
Emergency 911  
Non-Emergency 509-527-1960  
Station 509-529-4083

Substance Abuse and Mental Health Services  
Administration

#### **Clarkston, WA Campus**

City of Clarkston Police Department  
830 5<sup>th</sup> St Clarkston, WA 99403  
Emergency 911  
Non-Emergency 509-758-2331

#### City of Clarkston Fire Department

820 5<sup>th</sup> St Clarkston WA 99403  
Emergency 911  
Station 509-758-8681

Tri-State Memorial Hospital  
1221 Highland Ave Clarkston, WA99403  
Emergency 911  
Main Number 509-758-5511

Substance Abuse and Mental Health Services  
Administration

988 Suicide & Crisis Lifeline  
Call or Text 988, (800)273-8255 or go to  
<https://suicidepreventionlifeline.org/> chat line  
<https://www.samhsa.gov/> website

City of Walla Walla Community Paramedic  
program  
170 N. Wilbur Ave Walla Walla, WA 99362  
Paramedic Cody Maine  
Office: (509)524-4667  
Dispatch: 509-527-1960

Providence St Mary Medical Center  
401 W Poplar St  
Walla Walla, WA 99362  
Emergency 911  
Main Number 509-897-3320

YWCA  
213 S First Ave  
Walla Walla, WA 99362  
Main Number 509-525-2570  
Crisis Line 509-529-9922  
TTY Crisis Line 1-800-833-6384

Walla Walla County Crisis Response Unit  
Emergency 911  
Main Number 509-524-2999  
TTY 509-527-2994

Walla Walla County Chemical Dependency  
509-524-2652  
Comprehensive Healthcare  
1520 Kelly Pl  
Walla Walla, WA 99362  
(509)524-2920  
[www.compnc.org](http://www.compnc.org)

Trilogy Recovery Community  
120 E. Birch St #14  
Walla Walla, WA 99362  
(509)876-4525  
[www.trilogyrecovery.org](http://www.trilogyrecovery.org)

Serenity Point  
410 S. Wilbur Ave  
Walla Walla, WA 99362  
(509)529-6036  
<http://serenitypointcounseling.com>

988 Suicide & Crisis Lifeline  
Call or Text 988, (800)273-8255 or go to  
<https://suicidepreventionlifeline.org/> chat line  
<https://www.samhsa.gov/> website

Quality Behavioral Health  
900 7<sup>th</sup> St  
Clarkston, WA 99403  
(509)758-3341

Quality Behavioral Health  
Community Sexual Assault Program (CSAP)  
1-800-970-3785

Washington Recovery Help Line  
24 Hour help for substance abuse, problem  
gambling & Mental Health  
(866)789-1511

## Dating Violence, Domestic Violence, Sexual Assault and Stalking

Walla Walla Community College is committed to the welfare and safety of all student, faculty, staff and visitors. WWCC prohibits dating violence, domestic violence, sexual assault and stalking as defined on pages 9-12 of this document. Washington State does not differentiate between dating violence and domestic violence, and both are incorporated under [RCW 26.50.010](#). For a complete listing of Washington State Crimes associated with the Clery defined crimes refer to Appendix A. Washington state corresponding definitions to domestic violence, sexual assault and stalking are;

- "Domestic violence" means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking as defined in [RCW 9A.46.110](#) of one intimate partner by another intimate partner; or (b) physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking as defined in [RCW 9A.46.110](#) of one family or household member by another family or household member.
- Sexual assault in the State of Washington is used synonymously under [RCW 9A.44 Sex Offenses](#) as Sex Offenses (see Appendix A). Per Clery definitions (see page 9) Sexual assault is any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Per Washington State Law ([RCW 9A.44.010](#)), "Consent" means that at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact. The laws denoted in [RCW 9A.44.040](#) through [RCW9A.44.100](#) are or can be consistent with the Clery definition of sexual assault.
- Stalking is defined by the State of Washington under [RCW 9A.46.110](#) as: A person intentionally and repeatedly harasses or repeatedly follows another person; and the person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and the stalker either intends to frighten, intimidate, or harass the person; or knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person. See [RCW 9A.46.110](#) for the complete elements and details of the crime.

The Walla Walla Community College Student Code of Conduct, located at <https://www.wbcc.edu/wp-content/uploads/7110-WAC-132T-100-Student-Code-of-Conduct-Administrative-Policy-FINAL.pdf> or in **Appendix I** of this document, provides a detailed explanation of WWCC conduct jurisdiction, the rights given to respondents and complainants and the judicial process from the initial complaint, the investigation process (including the burden of proof standard that will be used during the proceedings), the final resolution of the conduct violation to include the notification and appeals process and provides a description of the sanctions that may be utilized by Walla Walla Community College.

Walla Walla Community College recognizes specific additional responsibilities that are required under the Clery Act and the Violence Against Women Act with regards to assisting complainants of sexual assault, dating and domestic violence and stalking.

Walla Walla Community College has a partnership with the YWCA to provide a YWCA staff member to provide Sexual Assault campus services to the campus community.

Complainants of sexual assault, domestic or dating violence, and stalking are encouraged to report the incident as soon as possible and to seek medical treatment for injuries, potential pregnancy or sexually transmitted diseases. Whether or not the complainant decides to pursue criminal action is entirely up to the complainant, however, physical evidence from the incident will disappear or become unusable to law enforcement usually after 72 hours. Physical evidence can include the clothing or other personal items that you were wearing at the time of the incident, any bed linens, or blankets. Evidence may also include electronic communication such as emails, text messages, voice mails and pictures that are associated with the incident. It is important to preserve any evidence that may assist in proving the alleged criminal offense or assist in obtaining a protection order.

Complainants of sexual assault, domestic or dating violence and stalking are encouraged to report the incident to one of the individuals or departments listed below:

**WWCC's Campus Security and  
Environmental Health and Safety Department**  
509-526-7233 or [campusssafety@wwcc.edu](mailto:campusssafety@wwcc.edu)

**Walla Walla, WA Police Department**  
Emergency 911  
Non-Emergency 509-527-1960

**A Campus Security Authority**  
<https://www.wwcc.edu/security-environmental-health-safety/wp-content/uploads/sites/43/2022/09/WWCC-Campus-Security-Authorities-9-22.pdf>

**Clarkston, WA Police Department**  
Emergency 911  
Non-Emergency 509-758-2331

**WWCC Title IX Deputy Coordinator**  
Dr. Chad Miltenberger  
509-758-1711  
Clarkston Campus

Once an incident of sexual assault, domestic or dating violence or stalking has been reported to Walla Walla Community College, the College will take the following steps to assist the complainant:

1. If the incident has not been reported to law enforcement, Walla Walla Community College will provide assistance with reporting if the complainant chooses. The complainant may also elect not to notify law enforcement.
2. Walla Walla Community College will also provide the complainant information regarding no contact orders provided by the College and additional information regarding restraining orders or orders of protection that may be available in the community.
3. Walla Walla Community College will also provide the complainant information regarding counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for complainants both within the institutions and in the community.
4. Individuals who investigate or adjudicate violations of the student code of conduct with regards to dating violence, domestic violence, sexual assault and stalking receive annual training on investigations and judicial steps and processes that protect the safety of the complainant and promote accountability.
5. Walla Walla Community College will make every effort to maintain the confidentiality of a complainant and will take the following steps to help ensure confidentiality:

- a. Identifying complainant information will never be included in the Campus Security and Environmental Health and Safety Department Daily Crime Log or in a Timely Warning issued to the campus community.
  - b. At the complainant's request, personal information may be removed from publicly available directories by contacting the registrar's office.
  - c. Complainant information will only be provided to individuals who have a specific need to know as part of the investigation or judicial adjudication process or who are providing support services to the complainant.
  - d. The complainant may be allowed to testify in limited privacy, as long as the process does not compromise the accused student's right to cross-examination. Determination on this matter will be made by the Student Conduct Board Chairperson or the Student Conduct Committee Chairperson.
6. Walla Walla Community College will, upon written request, disclose to the alleged complainant of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged complainant is deceased as a result of such crime or offense, the next of kin of such complainant shall be treated as the alleged complainant.
  7. Walla Walla Community College will provide a written explanation of a student or employees' rights when that student or employee reports to Walla Walla Community College that they have been a complainant of dating violence, domestic violence, sexual assault or stalking, whether the offenses occurred on or off campus.

### Sexual Harassment

Walla Walla Community College is committed to ensuring faculty, staff and students work and learn in an environment where mutual respect and considerations are demonstrated by all community members. It is important that all community members understand that sexual harassment is unacceptable and know that it will be dealt with promptly and effectively.

A copy of Walla Walla Community College's Administrative Procedure (5640) for Sexual Harassment can be found at <https://www.wbcc.edu/wp-content/uploads/5640-Title-IX-Employee-Supplemental-Disciplinary-Hearing-Administrative-Procedure-FINAL-2.pdf> and in **Appendix J** of this document.

### Disclosure of crime report to Complainants of violent or non-forced sex offense

Walla Walla Community College will, upon written request, disclose to the alleged complainant of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged complainant is deceased as a result of such crime or offense, the next of kin of such complainant shall be treated as the alleged complainant for purposes of this paragraph.

### WWCC Resources and Reporting Options for Persons Impacted by Illegal Discrimination or Harassment, Sexual Harassment, Sexual Assault, or other forms of Sexual Violence

In compliance with Title IX of the Education Amendments of 1972, Walla Walla Community College does not discriminate on the basis of sex in employment or in its educational programs and



activities. It is Walla Walla Community College's goal to maintain an environment that is free from all forms of illegal harassment and discrimination, including bullying, hazing, sexual harassment, sexual violence, sexual coercion, rape and sexual assault.

Federal and State laws, as well as College policies, protect faculty, staff, and students against discrimination based on the following legally protected characteristics: Race, Color, Creed, Religion, National Origin, Sex (including pregnancy and parenting status), Age, Disability, Marital Status, Sexual Orientation, Gender Identity and Expression, Genetic Information and Veteran Status.

WWCC's Complaint Procedure provides an administrative process (not legal or criminal) for prompt and equitable investigation and resolution of complaints alleging violations of civil rights laws, to include Title IX, unfair treatment based on any of the protected categories, bullying, hazing, sexual harassment, sexual violence, sexual coercion, rape or sexual assault.

If you have experienced illegal discrimination or harassment, sexual harassment, sexual assault, stalking or sexual violence, you have resources and reporting options. If an incident occurs to you or you know of an incident, please immediately contact at least one of the following people. If you are in immediate danger, call 911.

**WWCC Title IX Coordinator**

Brooke Marshall  
Main Building (D) Office 65  
509-527-4300

**WWCC Title IX Deputy Coordinator**

Clarkston Campus  
Dr. Chad Miltenberger  
Office 170 CLK  
509-758-1711

**WWCC Confidential Counselors**

Walla Walla Campus  
Caley Moyer and Paris Davis  
509-527-4262

**WWCC Confidential Counselors**

Clarkston Campus  
Emma Carpenter  
509.758.1713

**Walla Walla Crisis/Hotline**

YWCA Crisis Service:  
509-529-9922  
WW County Crisis Response Unit  
509-524-2999

**Lewiston/Clarkston Crisis/Hotlines**

YWCA Crisis Service  
208.746.9655  
800-669-3176 (Toll Free)

**WW Police Dept.**

Domestic Violence Advocate  
Chalese Rabidue  
509-524-4400

**Moscow/Pullman Alternatives to Violence  
of the Palouse**

877-334-2887

**National Sexual Assault Hotline:**

1-800-656-HOPE (4673)

**Office for Civil Rights**

1-800-421-3481

**Quality Behavioral Health**

**Community Sexual Assault Program  
(CSAP)**

1-800-970-3785

## Registered Sex Offenders

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 Clery Act and the Family Educational Rights and Privacy Act of 1974, Walla Walla Community College provides contact information for the Walla Walla County Sheriff's Department, the Asotin County Sheriff's Departments, and the Washington Association of Sheriffs and Police Chiefs. This information is also listed on the Campus Security and Environmental Health and Safety webpage. Links are also provided below.

Walla Walla County Sheriff's Department  
(509) 524-5400

[https://www.co.walla-walla.wa.us/departments/sheriff/sex\\_offender\\_information.php](https://www.co.walla-walla.wa.us/departments/sheriff/sex_offender_information.php)

Asotin County Sheriff's Department  
(509) 243-4717

<https://www.co.asotin.wa.us/239/Sex-Offenders>

Washington Association of Sheriffs and Police Chiefs

<http://www.waspc.org/index.php?c=Sex%20Offender%20Information>

In the state of Washington, sex offenders who are enrolled in a public or private institution of higher education are required to notify the local county sheriff's office immediately. The Administrative Assistant to the Vice Presidents of Enrollment Services & Human Resources at Walla Walla Community College provides information for posting to departments on campus of any Level III sex offender who is a registered student. Instructors that have a Level II or III student enrolled in their class will be notified in addition to the following departments/individuals: Counselors, Child Care Centers, Student Life Directors, and the Campus Security and Environmental Health and Safety Department. Notification to individuals/departments of Level I offenders is on a case by case basis. Use of this public information to threaten, intimidate, or harass sex offenders will not be tolerated by the College or law enforcement agencies. In addition, any student violating this provision could be subject to disciplinary action pursuant to the Student Code of Conduct.

## Student Code of Conduct Procedures

**WAC 132T-100-200 Student conduct process.** As an agency of the state of Washington, the college's student conduct officer (SCO), student conduct board (SCB), student conduct committee (SCC), conduct review officer (CRO), or president may be advised or represented by an assistant attorney general in any student code of conduct proceeding.

**WAC 132T-100-210 Violation of law and college discipline.** College disciplinary proceedings may be used to determine responsibility of a student for conduct that potentially violates the criminal law and this student code of conduct (that is, if both alleged violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this student code of conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings. Determinations made or sanctions imposed under this student code of conduct will not be subject to change because criminal charges arising out of the same facts giving rise to violation of college rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant. In addition to initiating discipline

proceedings for violation of the student code of conduct, the college may refer any violations of federal, state, or local laws to civil and criminal authorities for disposition. The college reserves the right to pursue student disciplinary proceedings regardless of whether the underlying conduct is subject to civil or criminal prosecution.

- (1) Initiation of disciplinary action. A request for disciplinary action for violation(s) of the student code of conduct must be made to the SCO as soon as possible following the violation. Conduct proceedings may be initiated when the SCO receives any direct or indirect report of conduct that may violate this code, which includes, but is not limited to, a police report, an incident report, a witness statement, other documentation, or a verbal or written report from a complainant, witness, or other third party. The college may initiate disciplinary action under the student code of conduct regardless of whether or not the incident in question is the subject of criminal or civil proceedings. Any member of the college's administration, faculty, staff, or any student or nonstudent may make a request for disciplinary action and it must be a good faith claim. Formal rules of evidence, such as are applied in criminal or civil court, are not used in conduct proceedings. Relevant evidence, including hearsay, is admissible if it is the type of evidence that reasonable persons would rely upon in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded. The SCO, SCB, or college president will determine the admissibility of evidence and may seek clarification from witnesses as needed. If the complaint indicates that the matter involves sexual misconduct, the SCO will forward the complaint to the Title IX coordinator for review in accordance with the college's discrimination and harassment policy and grievance procedure. The SCO or designee will conduct an initial investigation of a complaint to determine whether it alleges conduct that may be prohibited by the student code of conduct. If it is determined through the initial investigation that the report has merit, the SCO will conduct an investigation to determine responsibility. Except in cases of sexual assault or sexual violence, the parties may elect to mediate the dispute, which shall be facilitated by the SCO or delegate. If the SCO has a conflict of interest or is the subject of a complaint by the student, the vice president for student services or designee shall, upon request and at their discretion, designate another person to fulfill any such disciplinary responsibilities relative to the request for disciplinary action.
- (2) Notification requirements.
  - (a) If it is determined through the initial investigation that an alleged violation of the student code of conduct might have occurred and which is not eligible for referral to the Title IX officer, the SCO will provide the following written notification:
    - (i) That a report has been submitted alleging conduct which violates the student code of conduct and that a conduct investigation has been initiated to determine responsibility;
    - (ii) The specific sections of the student code of conduct which are alleged to have been violated;
    - (iii) That the student may either accept responsibility for the alleged violations or request a conduct meeting with the SCO to present evidence to refute the report;
    - (iv) That the student may provide evidence such as names and contact information of witnesses to aid the conduct investigation;
    - (v) The possible sanction outcomes and that the actual sanctions will depend on the determination of responsibility pending the results of the investigation; and
    - (vi) That if the student fails to participate in any stage of the conduct

- proceedings or to request a conduct meeting within fifteen days from the date of the notice, the college may move forward with the conduct proceeding without their participation.
- (b) If the student requests a conduct meeting within fifteen days of the notice, the student will be provided a written notice to appear for a conduct meeting. The notice to appear will be personally delivered, sent electronically to the student's WWCC email address, or sent by mail to the most recent address in the student's record on file with the college, not later than fifteen instructional days after the request for a conduct meeting. The notice will not be ineffective if presented later due to the student's absence. Such notice will:
    - (i) Set forth the specific provisions of the student code of conduct and the specific acts which are alleged to be violations, as well as the date(s) of the violations, and a description of evidence, if any, of the violation.
    - (ii) Notify the student of the SCO's investigation and possible sanctions, if any.
    - (iii) Specify the time, date, and location where the student is required to meet with the SCO. The meeting will be scheduled no earlier than three instructional days, but within thirty instructional days of the date on the notice to appear sent to the student. The SCO may modify the time, date, and location of the meeting, either at the student's or college's request, for reasonable cause.
    - (iv) Inform the student that failure to attend the conduct meeting will not stop the disciplinary process and may result in a transcript/registration hold being placed onto the student's account, and disciplinary actions.
    - (v) Inform the student that they may be accompanied at the meeting by an advisor at their expense. The advisor cannot be a college employee or witness. If the student or their advisor is found to have tampered with witnesses or evidence, or destroyed evidence, the student will be held accountable in the conduct process for their acts and those of their advisor.
    - (vi) Inform the student that they may present evidence to support their assertions during the meeting.
- (3) Student conduct meeting – Brief adjudicative process.
- (a) During the student conduct meeting, the student will be informed of the following:
    - (i) The specific acts and the provision(s) of college policy that the student is alleged to have violated;
    - (ii) The disciplinary process;
    - (iii) The range of sanctions which might result from the disciplinary process and that the actual sanctions will depend on the findings of responsibility;
    - (iv) The student's right to appeal.
  - (b) The student will have the opportunity to review and respond to the allegation(s) and evidence and provide the SCO with relevant information, evidence and/or witnesses to the alleged violation(s), and/or explain the circumstances surrounding the alleged violation(s).
  - (c) The advisor may assist the student during the conduct meeting, however the student is responsible for presenting their own information and evidence. The advisor may only communicate with the student they are advising. Any disruptions or failure to follow the conduct process and/or directions of the SCO may result in the advisor being excused from the meeting.
- (4) Decision by the SCO.
- (a) After interviewing the student or students involved and/or other individuals as

appropriate, and considering the evidence, the SCO may take any of the following actions:

- (i) Determine that the student is not responsible for a violation of the student code of conduct and thereby terminate the student conduct process;
  - (ii) Determine that the student is responsible for a violation of the student code of conduct and impose disciplinary sanctions as provided herein;
  - (iii) Determine that further inquiry is necessary and schedule another meeting for reasonable cause;
- (b) Notification of the decision by the SCO will be issued pursuant to WAC 132T-100-070 within thirty instructional days of the final student conduct meeting. Due to federal privacy law, the college may not disclose to the complainant any sanctions imposed on the responding student unless the complainant was the alleged victim of a violent crime as defined under the Federal Educational Rights and Privacy Act (FERPA)(20 U.S.C. Sec. 1232g; 34 C.F.R. Part 99), or the responding student consents to such disclosure. A copy of the decision notification will be filed with the office of the SCO.
- (c) Disciplinary action taken by the SCO is final unless the student exercises the right of appeal as provided herein.

**WAC 132T-100-220 Appeal process.** The student may appeal a disciplinary action by filing a written notice of appeal with the conduct review officer within ten days of service of the student conduct officer's decision. Failure to timely file a notice of appeal constitutes a waiver of the right to appeal and the student conduct officer's decision shall be deemed final.

- (1) The request for appeal must include a brief statement explaining the grounds for the appeal or why the student is seeking review. Disagreement with the finding and/or with the sanctions does not, by itself, represent grounds for appeals. Decisions may be appealed for one or more of the following:
  - (a) To determine whether there was a procedural error that substantially affected the outcome of the finding or sanctioning. Deviation from designated procedures is not a basis for sustaining an appeal unless significant prejudice results.
  - (b) To determine whether the sanction(s) imposed were appropriate and not excessively lenient or excessively severe for the violation of the student code of conduct for which the student was found responsible.
  - (c) To consider new information, sufficient to alter a decision, or other relevant facts not brought during fact finding, because such information and/or facts were not known, and the student bringing the appeal had no duty to discover or could not have reasonably discovered facts giving rise to the issues during investigation or fact-finding. The notice of appeal must include a brief statement explaining why the respondent is seeking review.
- (2) The parties to an appeal shall be the respondent and the conduct review officer.
- (3) A student who timely appeals a disciplinary action or whose case is referred to the student conduct committee, has a right to a prompt, fair, and impartial hearing as provided for in these procedures.
- (4) On appeal, the college bears the burden of establishing the evidentiary facts underlying the imposition of a disciplinary sanction by a preponderance of the evidence.
- (5) Imposition of disciplinary action for violation of the student code of conduct shall be stayed pending appeal, unless respondent has been summarily suspended.
- (6) The student conduct board shall hear appeals from:
  - (a) The imposition of disciplinary suspensions in excess of ten instructional days;

- (b) Dismissals;
  - (c) Withholding or revocation of a degree; or
  - (d) Loss of recognition of a student organization.
- (7) Student conduct appeals from the imposition of the following disciplinary sanctions shall be reviewed through a brief adjudicative proceeding:
- (a) Suspensions of ten instructional days or less;
  - (b) Disciplinary probation;
  - (c) Written reprimands; and
  - (d) Any conditions or terms imposed in conjunction with one of the foregoing disciplinary actions.
- (8) Except as provided elsewhere in these rules, disciplinary warnings and dismissals of disciplinary actions are final actions and are not subject to appeal.
- (9) Disciplinary decisions of the SCO may be appealed for review by the CRO using the brief adjudicative process. Disciplinary decisions of the CRO may be appealed for review by the college president using the brief adjudicative process. Appeals of disciplinary decisions of the SCO, or decisions made by the SCC pursuant to WAC 132T-100-500 through 132T-100-580, involving sanctions of suspension for more than ten days, expulsion, withholding or revocation of a degree, or loss of recognition of a student organization will be referred to the SCB for a full adjudicative process in accordance with WAC 132T-100-240. Disciplinary decisions by the SCB may be appealed for review by the college president using the brief adjudicative process. The college president's decisions are final.

**WAC 132T-100-230 Brief adjudicative process.**

- (1) The brief adjudicative process is conducted in accordance with RCW 34.05.482 through 34.05.494.
- (2) The SCO and CRO will use the brief adjudicative process to make decisions of findings of responsibility as provided in this code of conduct.
- (3) The president will use the brief adjudicative process to review appeals of all disciplinary decisions made by the SCB.
- (4) Within twenty days of filing the appeal, the CRO or president, as applicable, shall review the record of the preceding conduct decision and all relevant information provided by the parties, and based on a preponderance of the evidence, shall make a determination to affirm, reverse, or modify the findings and/or sanctions. The CRO and president shall have the discretion to seek clarification from witnesses as needed.
- (5) Notification of the decision will be issued pursuant to WAC 132T-100-070.

**WAC 132T-100-240 Full adjudicative process.** The SCB will use the following full adjudicative process to determine responsibility for serious violations which include sanctions of suspension for more than ten days, expulsion, withholding or revocation of a degree, or loss of recognition of a student organization.

- (1) The parties will be sent written notification of the SCB adjudication proceedings within ninety days from the date of the filing of the appeal. The notification will contain the following:
  - (a) The time, date, and location of the hearing, which shall not be less than seven days from the date of the notice of the hearing;
  - (b) The specific acts alleged and the provision(s) of college policy which those acts violated;
  - (c) The SCB procedures;
  - (d) The name and contact information for the SCB and their advisor, if any,

- representing the college. The notice will include the official title, work mailing address, and telephone number of each of these individuals;
- (e) Unless otherwise ordered by the SCB chairperson, the name and mailing addresses of all parties to whom notice is being given and, if known, the names and addresses of their advisors; and
  - (f) A statement that if a party fails to attend or participate in a hearing or other stage of this adjudicative proceeding, they may be held in default in accordance with chapter 34.05 RCW and/or the college may continue the student conduct process, including the hearing, despite the party's absence.
- (2) The respondent and complainant have the right to be assisted by one advisor of their choice and at their own expense. The advisor must be someone who is not employed by the college. If the respondent chooses to have an attorney serve as their advisor, the student must provide notice to the SCB no less than five instructional days prior to the hearing. The SCB hearing may not be delayed due to the scheduling conflicts of an advisor and such requests will be subject to the discretion of the SCB chairperson. If the student or their advisor is found to have tampered with witnesses or evidence, or destroyed evidence, the student will be held accountable in the conduct process for their acts and those of their representative/advisor. The respondent and/or complainant are responsible for presenting their own information, and therefore, during the hearing, advisors are not permitted to address the SCB, witnesses, the SCO, or any party or advisor invited by the parties to the hearing. An advisor may communicate with their advisee and recesses may be allowed for this purpose at the discretion of the SCB chairperson. The advisor may not disrupt or interfere with any aspect of the proceeding. The SCB chairperson shall have the right to impose reasonable conditions upon the participation of the advisor.
  - (3) The SCB and the parties will be provided reasonable access to the documentation and evidence which will be reviewed by the SCB, as well as the case file that will be retained by the SCO in accordance with applicable privacy laws.
  - (4) Any SCB member who participated in determining sanctions imposed under WAC 132T-100-570 may not serve on a SCB hearing an appeal of those sanctions.
  - (5) Any SCB member who has a personal relationship with either party or any personal or other interest which would prevent a fair and impartial review and decision will be recused from the proceedings. A party may make a written request to the SCB chairperson for the recusal of an SCB member no less than five instructional days prior to the hearing. The request must be for good cause, which must be shown by the party making the request. The SCB chairperson will consider the request and notify the student of their decision regarding the recusal prior to the hearing. If the SCB chairperson grants the recusal, a replacement for the recused SCB member will be made without unreasonable delay.
  - (6) The parties involved in the hearing will be required to submit their witness list and any evidence to be discussed at the hearing to the SCB chairperson no less than five instructional days prior to the hearing. Each party is allowed a maximum of three character witnesses to appear on their behalf. The parties must submit a witness list which contains a written statement from each witness that includes a brief description of the relevant information the witness will provide during the hearing. Witnesses not listed will not participate in the hearing.
  - (7) Discovery in the form of depositions, interrogatories, and medical examinations of parties are not permitted in student conduct adjudications. Other forms of discovery which ensure the prompt and thorough completion of the adjudication process may be permitted at the discretion of the SCB chairperson.
  - (8) Hearings will be closed to the public except if consented to by all parties and at the

discretion of the SCB chairperson. Witnesses may be allowed in the hearing room only during the time in which they provide their statements to the SCB. The complainant and respondent, depending on their preference and subject to orders of a court of law, such as protection orders, may be present for and observe the entire hearing. At the discretion of the SCB chairperson, and where the rights of the parties will not be prejudiced, all or part of the hearing may be conducted by telephone, video conference, or other electronic means. Each party shall have the opportunity to hear and if technically and economically feasible, to see the entire hearing while it is taking place. At all times, however, all parties, their advisors, the witnesses, and the public will be excluded during the deliberations of the SCB.

- (9) The SCB chairperson will exercise control over the hearing to avoid needless consumption of time and to prevent the harassment or intimidation of witnesses. Any person, including the respondent and complainant, who disrupts a hearing or who fails to follow the directions of the SCB chairperson, may be excluded from the proceedings and may be subject to disciplinary action.
- (10) Questions posed by any party to be answered by each other or by witnesses must be appropriate and respectful. The SCB chairperson may require any participant of the hearing to provide all questions in writing to the SCB chairperson. The SCB chairperson, if appropriate and at their sole discretion, will read the question to the individual to whom it is directed. Any question which the SCB chairperson has chosen not to read will be documented on record and kept within the case file. The SCB chairperson will decide matters related to the order of the proceedings.
- (11) In order that a complete record of the proceeding can be made to include all evidence presented, hearings will be recorded or transcribed, except for the deliberations of the SCB. The record will be the property of the college.
- (12) After weighing and considering the evidence, the SCB will decide by majority vote whether the respondent is responsible or not responsible for a violation of the student code of conduct. If there is a finding of responsibility for a violation, the SCB shall impose sanctions as set forth herein.
- (13) The SCB's decision is made on the basis of a "preponderance of the evidence" standard of proof, that is, whether it is more likely than not that the respondent violated the student code of conduct.
- (14) The notice of decision of the SCB will be issued pursuant to WAC 132T-100-070. A copy of the SCB's decision will also be filed with the office of the SCO.
- (15) Disciplinary action taken by the SCB is final unless the student exercises the right of appeal to the college president as provided herein.

**WAC 132T-100-250 Academic dishonesty process.**

- (1) The class instructor is responsible for handling each case of academic dishonesty in the classroom and for determining a penalty grade as outlined in the course syllabus.
- (2) If, within the instructor's professional judgment, reasonable evidence would suggest that a student engaged in academic dishonesty, the instructor will provide notice to the student, either written or verbal, of their assertion of academic dishonesty and of the academic penalty grade within thirty instructional days of the occurrence or when the instructor is made aware of the occurrence.
- (3) The instructor will submit a report to the SCO of the assertion of academic dishonesty, the explanation of the notice or actual notice given to the student, and a copy of all relevant evidence. The instructor may request that the incident only be documented with the SCO, or refer the matter for disciplinary action. If the student has a previous academic dishonesty



record, the SCO may choose to move forward with the disciplinary process without an instructor's request.

**WAC 132T-100-260 Classroom conduct.** Instructors have the authority to take appropriate action to maintain order and proper conduct in the classroom and to maintain the effective cooperation of the class in fulfilling the objectives of the course. An instructor may exclude a student from any single class/program session during which the student is currently being so disorderly or disruptive that it is difficult or impossible to maintain classroom decorum. The instructor will report any such exclusion from the class/program session to the SCO. The SCO may initiate disciplinary action under the student code of conduct.

**WAC 132T-100-270 Sexual misconduct procedures.**

- (1) The college's Title IX coordinator or designee shall review and investigate reports of sexual misconduct in accordance with the college's discrimination and harassment policy and grievance procedure.
- (2) College personnel will honor requests to keep sexual misconduct complaints confidential to the extent this can be done without unreasonable risk to the health, safety, and welfare of the complainant or other members of the college community, or compromising the college's duty to investigate and process sexual harassment and sexual violence complaints.
- (3) Both the respondent and the complainant in cases involving allegations of sexual misconduct shall be provided the same procedural rights to participate in the disciplinary process, to simultaneously receive notifications, and to appeal the finding and/or sanction.
- (4) Notification of the results of the investigation or disciplinary action, if any, will be personally delivered, sent electronically to the student's WWCC email address, or sent by mail to the most recent address in the student's record on file with the college.
- (5) In the event of conflict between the sexual misconduct procedures and the student code of conduct, the sexual misconduct procedures shall govern.
- (6) All college employees who coordinate, investigate, or adjudicate issues involving sexual misconduct shall receive annual training on domestic violence, dating violence, sexual assault, stalking, and investigation and adjudication processes that protect the safety and due process rights of the parties.

**WAC 132T-100-280 Sexual misconduct appeal procedures.**

- (1) A party may appeal a sexual misconduct disciplinary decision for review according to the procedures as stated in this code of conduct by filing a written request for appeal with the office of the CRO within twenty-one days of the notification of the disciplinary decision.
- (2) The college shall notify the other party of the appeal and provide that party an opportunity to respond to the appeal.
- (3) Failure to file a timely notice of appeal constitutes a waiver of this right and the disciplinary decision shall become final.

**WAC 132T-100-290 Disciplinary sanctions and terms and conditions.** The following disciplinary sanctions may be imposed upon students found to have violated the student conduct code. If the respondent is found responsible for any violation, the student's past disciplinary record may be considered in determining an appropriate sanction.

- (1) Sanctions.
  - (a) Disciplinary warning. A verbal statement to a student that there is a violation and that continued violation may be cause for further disciplinary action.
  - (b) Written reprimand. Notice in writing that the student has violated one or more terms

of this code of conduct and that continuation of the same or similar behavior may result in more severe disciplinary action.

- (c) Loss of privileges. Denial of specified privileges for a designated period of time. Services and approval to be withdrawn may include, but are not limited to, intramural sports, information technology services, library and/or tutoring services, club activities, student leadership roles, college facility use and rental, and involvement in organizational activities.
- (d) Loss of recognition. A student organization's recognition may be withheld permanently or for a specific period of time. Loss of recognition is defined as withholding college services or administrative approval from a student organization. Services and approval to be withdrawn may include, but are not limited to, funding, information technology services, college facility use, and involvement in organizational activities.
- (e) Disciplinary probation. Formal action placing specific conditions and restrictions upon the student's continued attendance depending upon the seriousness of the violation and which may include a deferred disciplinary sanction. If the student subject to a deferred disciplinary sanction is found in violation of any college rule during the time of disciplinary probation, the deferred disciplinary sanction, which may include, but is not limited to, a suspension or a dismissal from the college, shall take effect immediately without further review. Any such sanction shall be in addition to any sanction or conditions arising from the new violation. Probation may be for a limited period of time or may be for the duration of the student's attendance at the college. Written notice of disciplinary probation will specify the period of probation and any condition(s) upon which their continued enrollment is contingent. Such conditions may include, but not be limited to, adherence to terms of a behavior contract or limiting the student's participation in extracurricular activities or access to specific areas of the college's facilities. Disciplinary probation may be for a specified term or for a period which may extend to graduation or award of a degree or certificate or other termination of the student's enrollment in the college.
- (f) Removal from class. Behavior which has been disruptive to a class to the extent that the continued presence of the student in that class will impair, interrupt, or interfere with the instructor's ability to deliver instruction or other students' ability to obtain instruction, will result in a withdrawal from that class without a refund or grade penalty.
- (g) Disciplinary suspension. Separation of the student from the college for a definite period of time, after which the student is eligible to return. Conditions for readmission may apply. Students who are suspended may be denied access to all or any part of the campus or other facilities for the duration of the period of suspension. There will be no refund of tuition or fees for the quarter in which the action is taken.
- (h) Expulsion. Permanent separation of the student from the college. Students who are expelled may be permanently denied access to all or any part of the campus or other facilities. The revocation of all rights and privileges of membership in the college community and exclusion from the campus and college-owned or controlled facilities without any possibility of return. There will be no refund of tuition or fees for the quarter in which the action is taken.
  - (i) Not in good standing. A student may be deemed "not in good standing" with the college. If so, the student shall be subject to the following restrictions:

- (i) Ineligible to hold an office in any student organization recognized by the college or to hold any elected or appointed office of the college.
  - (ii) Ineligible to represent the college to anyone outside the college community in any way, including representing the college at any official function, or any forms of intercollegiate competition or representation.
- (j) Revocation of admission and/or degree or certificate. Admission to the college or a degree or certificate awarded from the college may be revoked for fraud, misrepresentation, or other violation of college standards in obtaining admission or the degree or certificate, or for other serious violations committed by a student prior to the award of a degree or certificate.
- (2) Disciplinary terms and conditions that may be imposed alone or in conjunction with the imposition of a disciplinary sanction include, but are not limited to, the following:
  - (a) Restitution. A student may be required to make restitution for damage, loss, or injury or for reasonable costs incurred by the college in pursuing an investigation or disciplinary proceeding. This may take the form of appropriate service and/or monetary or material replacement. Failure to make restitution within thirty instructional days or any period set by the SCO, CRO, SCB, or president will result in an administrative hold being placed on the student's registration, which will prevent future enrollment until the restitution is complete.
  - (b) Discretionary conditions. Work assignments, essays, service to the college, or other related discretionary assignments.
  - (c) Professional evaluation. Referral for drug, alcohol, psychological, or medical evaluation by an appropriately certified or licensed professional may be required. The student may choose the professional within the scope of practice and with the professional credentials as defined by the college. The student will sign all necessary releases to allow the college access to any such evaluation. The student's return to college may be conditioned upon compliance with recommendations set forth in such a professional evaluation. If the evaluation indicates that the student is not capable of functioning within the college community, the student will remain suspended until future evaluation recommends that the student is capable of reentering the college and complying with the rules of conduct.
  - (d) No contact order. An order that prohibits direct or indirect physical, verbal, written, and/or any other form of communication or contact with an individual or group. Direct and indirect contact includes, but is not limited to, phone calls, letters, going within sight of places of work or residence, email, social media, etc.

**WAC 132T-100-292 Failure to comply.** A student who fails to complete a sanction within the specified time frame may be charged with the student code of conduct violation, "failure to comply." It is the student's responsibility to notify the student conduct officer if there are mitigating circumstances that prevent the student from completing the sanction(s) by a specified time frame. The student conduct officer may extend the deadline time, at the SCO's discretion. It is the student's responsibility to complete all sanctions within the specified time frame to avoid a hold and/or a charge of "failure to comply."

**WAC 132T-100-295 Disciplinary holds.** A disciplinary hold will be placed on the records and registration of any student who:

- (1) Fails to respond to a disciplinary notice by a judicial body. Any pending disciplinary

matters must be resolved prior to reregistration or a student's graduation. No student will be allowed to register, graduate, obtain transcripts, or receive financial aid until the pending disciplinary case is completed;

- (2) Is under an interim suspension from the college. The disciplinary hold will not be removed until the pending disciplinary case is completed;
- (3) Is under suspension from the college. The disciplinary hold will not be removed until the student's suspension status has expired and/or the requirements as set forth by the judicial/appellate body for readmission have been successfully met; or
- (4) Is under expulsion from the college. The disciplinary hold will only be removed, upon written request, for a student to obtain their transcript.

**WAC 132T-100-300 Interim measures.**

- (1) Interim measures may be taken pending an investigation or adjudication if there is cause to believe that a student or student organization poses an imminent risk of harm to anyone in the college community, or to property, or if the misconduct is so severe, persistent, or pervasive as to substantially disrupt or materially interfere with the college's operations and/or activities or with an individual's education/work activities. Interim measures may include counseling, extensions of time or other course related adjustments, modifications of class schedules, campus escort services, restrictions on contact between the parties, increased security and monitoring of certain areas of campus, restrictions on access to college-owned or operated property and/or events (notice of trespass), including classes, activities, and privileges, or any similar measures while the conduct process is pending.
- (2) The student must adhere to the conditions of the interim restriction. If an interim restriction includes campus wide restricted access, the SCO may provide written permission for the student to enter campus for specific purposes such as meeting with the SCO or designee, faculty, staff, or witnesses to prepare for an appeal, or to participate in the student conduct process.
- (3) Notice of interim measure. The student will be provided written notice of the interim measure(s), stating:
  - (a) The time, date, place, and nature of the circumstances which created the need for interim measures.
  - (b) A description of any relevant evidence.
  - (c) The interim measure.
  - (d) The possible sanctions that could result from violation of the interim measure including arrest for criminal trespass if the student has been trespassed from campus.
  - (e) The student's right to either accept the interim measure or submit a written appeal of the interim measure within three instructional days to the CRO. An appeal is waived if not submitted within the prescribed time. If the student timely appeals, the interim measure shall remain in place during the appeal process. The CRO will provide written notification to the student of the decision to either maintain or discontinue the interim measure within five instructional days of receipt of the appeal.
  - (f) If the student has been trespassed from the campus, a notice against trespass shall be included that warns the student that their privilege to enter into or remain on college premises has been withdrawn, that they shall be considered trespassing and subject to arrest for criminal trespass if they enter the college campus other than to meet with the SCO as arranged by an appointment, or to attend a disciplinary hearing. The interim measure shall not replace the regular discipline process, which

shall proceed as quickly as feasible in light of the interim restriction.

**WAC 132T-100-350 Summary suspension.** Summary suspension is a temporary exclusion from specified college premises or denial of access to all activities or privileges for which a respondent might otherwise be eligible, while an investigation and/or formal disciplinary procedures are pending. The student conduct officer may impose a summary suspension if there is probable cause to believe that the respondent has violated any provision of the student code of conduct; presents an immediate danger to the health, safety, or welfare of members of the college community; or poses an ongoing threat of substantial disruption of, or interference with, the operations of the college.

**Notice.** Any respondent who has been summarily suspended shall be served with oral or written notice of the summary suspension. If oral notice is given, a written notification shall be served on the respondent within two business days of the oral notice. The written notification shall be entitled "notice of summary suspension" and shall include the reasons for imposing the summary suspension, including a description of the conduct giving rise to the summary suspension and reference to the provisions of the student code of conduct or the law allegedly violated; the date, time, and location when the respondent must appear before the conduct review officer for a hearing on the summary suspension; and the conditions, if any, under which the respondent may physically access the campus or communicate with members of the campus community. If the respondent has been trespassed from the campus, a notice against trespass shall be included warning respondent that their privilege to enter into or remain on college premises has been withdrawn, and that the respondent shall be considered trespassing and subject to arrest for criminal trespass if they enter the college campus other than to meet with the student conduct officer or conduct review officer, or to attend a disciplinary hearing.

**Hearing.** The conduct review officer shall conduct a hearing on the summary suspension as soon as practicable after imposition of the summary suspension. During the summary suspension hearing, the issue before the conduct review officer is whether there is probable cause to believe that the summary suspension should be continued pending the conclusion of disciplinary proceedings and/or whether the summary suspension should be less restrictive in scope. The respondent shall be afforded an opportunity to explain why summary suspension should not be continued while disciplinary proceedings are pending or why the summary suspension should be less restrictive in scope. If the respondent fails to appear at the designated hearing time, the conduct review officer may order that the summary suspension remain in place pending the conclusion of the disciplinary proceedings. As soon as practicable following the hearing, the conduct review officer shall issue a written decision which shall include a brief explanation for any decision continuing and/or modifying the summary suspension and notice of any right to appeal. To the extent permissible under applicable law, the conduct review officer shall provide a copy of the decision to all persons or offices who may be bound or protected by it.

**Sexual misconduct.** In cases involving allegations of sexual misconduct, the complainant shall be notified that a summary suspension has been imposed on the same day that the summary suspension notice is served on the respondent. The college will also provide the complainant with timely notice of any subsequent changes to the summary suspension order.

### Supplemental Title IX Student Conduct Procedures

**WAC 132T-100-500 Order of precedence.** This supplemental procedure applies to allegations of sexual harassment subject to Title IX jurisdiction pursuant to regulations promulgated by the United States Department of Education. See 34 C.F.R. Part 106. To the extent these supplemental hearing procedures conflict with the college's standard disciplinary procedures, WAC 132T-100-200 through

132T-100-290, these supplemental procedures shall take precedence.

**WAC 132T-100-510 Prohibited conduct under Title IX.** Pursuant to RCW 28B.50.140(13) and Title IX of the Education Amendments Act of 1972, 20 U.S.C. Sec. 1681, the college may impose disciplinary sanctions against a student who commits, attempts to commit, or aids, abets, incites, encourages, or assists another person to commit, an act(s) of "sexual harassment."

For purposes of this supplemental procedure, "sexual harassment" encompasses the following conduct:

- (1) **Quid pro quo harassment.** A college employee conditioning the provision of an aid, benefit, or service of the college on an individual's participation in unwelcome sexual conduct.
- (2) **Hostile environment.** Unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the college's educational programs or activities, or employment.
- (3) **Sexual assault.** Sexual assault includes the following conduct:
  - (a) **Nonconsensual sexual intercourse.** Any actual or attempted sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.
  - (b) **Nonconsensual sexual contact.** Any actual or attempted sexual touching, however slight, with any body part or object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.
  - (c) **Incest.** Sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of eighteen.
  - (d) **Statutory rape.** Consensual sexual intercourse between someone who is eighteen years of age or older and someone who is under the age of sixteen.
- (4) **Domestic violence.** Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Washington, 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 state of Washington, RCW 26.50.010.
- (5) **Dating violence.** Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person:
  - (a) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - (b) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - (i) The length of the relationship;
    - (ii) The type of relationship; and
    - (iii) The frequency of interaction between the persons involved in the relationship.
- (6) **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a

reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

**WAC 132T-100-520 Title IX jurisdiction.**

- (1) This supplemental procedure applies only if the alleged misconduct:
  - (a) Occurred in the United States;
  - (b) Occurred during a college educational program or activity; and
  - (c) Meets the definition of sexual harassment as that term is defined in this supplemental procedure.
- (2) For purposes of this supplemental procedure, an "educational program or activity" is defined as locations, events, or circumstances over which the college exercised substantial control over both the respondent and the context in which the alleged sexual harassment occurred. This definition includes any building owned or controlled by a student organization that is officially recognized by the college.
- (3) Proceedings under this supplemental procedure must be dismissed if the decision maker determines that one or all of the requirements of subsection (1)(a) through (c) of this section have not been met. Dismissal under this supplemental procedure does not prohibit the college from pursuing other disciplinary action based on allegations that the respondent violated other provisions of the student conduct code.
- (4) If the Title IX coordinator determines the facts in the investigation report are not sufficient to support Title IX jurisdiction and/or pursuit of a Title IX violation, the Title IX coordinator will issue a notice of dismissal in whole or part to both parties explaining why some or all of the Title IX claims have been dismissed.

**WAC 132T-100-530 Initiation of discipline.**

- (1) Upon receiving the Title IX investigation report from the Title IX coordinator, the student conduct officer will independently review the report to determine whether there are sufficient grounds to pursue a disciplinary action against the respondent for engaging in prohibited conduct under Title IX.
- (2) If the student conduct officer determines that there are sufficient grounds to proceed under these supplemental procedures, the student conduct officer will initiate a Title IX disciplinary proceeding by filing a written disciplinary notice with the chair of the student conduct committee and serving the notice on the respondent and the complainant, and their respective advisors. The notice must:
  - (a) Set forth the basis for Title IX jurisdiction;
  - (b) Identify the alleged Title IX violation(s);
  - (c) Set forth the facts underlying the allegation(s);
  - (d) Identify the range of possible sanctions that may be imposed if the respondent is found responsible for the alleged violation(s);
  - (e) Explain that the parties are entitled to be accompanied by their chosen advisors during the hearing and that:
    - (i) The advisors will be responsible for questioning all witnesses on the party's behalf;
    - (ii) An advisor may be an attorney; and
    - (iii) WWCC will appoint the party an advisor of the college's choosing at no cost to the party, if the party fails to do so.
- (3) Explain that if a party fails to appear at the hearing, a decision of responsibility may be made in their absence.

**WAC 132T-100-540 Prehearing procedure.**

- (1) Upon receiving the disciplinary notice, the chair of the student conduct committee will send a hearing notice to all parties, in compliance with WAC 132T-100-210 (2)(b). In no event will the hearing date be set less than ten days after the Title IX coordinator provided the final investigation report to the parties.
- (2) A party may choose to have an attorney serve as their advisor at the party's own expense. This right will be waived unless, at least five days before the hearing, the attorney files a notice of appearance with the committee chair with copies to all parties and the student conduct officer.
- (3) In preparation for the hearing, the parties will have equal access to all evidence gathered by the investigator during the investigation, regardless of whether the college intends to offer the evidence at the hearing.

**WAC 132T-100-550 Rights of parties.**

- (1) WWCC's student conduct procedures and this supplemental procedure shall apply equally to all parties.
- (2) The college bears the burden of offering and presenting sufficient testimony and evidence to establish that the respondent is responsible for a Title IX violation by a preponderance of the evidence.
- (3) The respondent will be presumed not responsible until such time as the disciplinary process has been finally resolved.
- (4) During the hearing, each party shall be represented by an advisor. The parties are entitled to an advisor of their own choosing and the advisor may be an attorney. If a party does not choose an advisor, then the Title IX coordinator will appoint an advisor of their choosing on the party's behalf at no expense to the party.

**WAC 132T-100-560 Evidence.** The introduction and consideration of evidence during the hearing is subject to the following procedures and restrictions:

- (1) **Relevance:** The SCC chair shall review all questions for relevance and shall explain on the record their reasons for excluding any question based on lack of relevance.
- (2) Relevance means that information elicited by the question makes facts in dispute more or less likely to be true.
- (3) Questions or evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant and must be excluded, unless such question or evidence:
  - (a) Is asked or offered to prove someone other than the respondent committed the alleged misconduct; or
  - (b) Concerns specific incidents of prior sexual behavior between the complainant and the respondent, which are asked or offered on the issue of consent.
- (4) **Cross-examination required:** If a party or witness does not submit to cross-examination during the live hearing, the SCC must not rely on any statement by that party or witness in reaching a determination of responsibility.
- (5) **No negative inference:** The SCC may not make an inference regarding responsibility solely on a witness's or party's absence from the hearing or refusal to answer questions.
- (6) **Privileged evidence:** The SCC shall not consider legally privileged information unless the holder has effectively waived the privilege. Privileged information includes, but is not limited to, information protected by the following:
  - (a) Spousal/domestic partner privilege;
  - (b) Attorney-client and attorney work product privileges;
  - (c) Privileges applicable to members of the clergy and priests;



- (d) Privileges applicable to medical providers, mental health therapists, and counselors;
- (e) Privileges applicable to sexual assault and domestic violence advocates; and
- (f) Other legal privileges identified in RCW 5.60.060.

**WAC 132T-100-570 Initial order.**

- (1) The student conduct committee will be responsible for conferring and drafting an initial order that:
  - (a) Identifies the allegations of sexual harassment;
  - (b) Describes the grievance and disciplinary procedures, starting with filing of the formal complaint through the determination of responsibility, including notices to parties, interviews with witnesses and parties, site visits, methods used to gather evidence, and hearings held;
  - (c) Makes findings of fact supporting the determination of responsibility;
  - (d) Reaches conclusions as to whether the facts establish whether the respondent is responsible for engaging in sexual harassment in violation of Title IX;
  - (e) Contains a statement of, and rationale for, the SCC's determination of responsibility for each allegation;
  - (f) Describes any disciplinary sanction or conditions imposed against the respondent, if any;
  - (g) Describes to what extent, if any, complainant is entitled to remedies designed to restore or preserve complainant's equal access to the college's educational programs or activities; and
  - (h) Describes the process for appealing the initial order.
- (2) The SCC chair will serve the initial order on the parties simultaneously.

**WAC 132T-100-580 Appeals.**

- (1) The parties shall have the right to appeal from the initial order's determination of responsibility and/or dismissal of an allegation(s) of sexual harassment in a formal complaint. The right to appeal will be subject to the same procedures and time frames set forth in WAC 132T-100-220.
- (2) The president shall serve the final decision on the parties simultaneously.

## Appendix A –Clery Act Crimes with most Associated Washington State Law

The following is a listing of Washington State law, The Revised Code of Washington (RCW) that most closely relate to the Federal Clery definitions articulated in this report. Due to the varying elements in the RCW, every situation whereby the elements of an RCW are met may not satisfy the elements of the Federal Clery definitions. Final determination if the Federal Clery definitions are satisfied will be on a case by case basis.

### **Murder and Non-Negligent Manslaughter:**

- [RCW 9A.32.030 Murder in the First Degree](#)
- [RCW 9A.32.050 Murder in the Second Degree](#)

### **Manslaughter by Negligence**

- [RCW 9A.32.055 Homicide by Abuse](#)
- [RCW 9A.32.060 Manslaughter in the First Degree](#)
- [RCW 9A.32.070 Manslaughter in the Second Degree](#)

### **Rape**

- [RCW 9A.44.040 Rape in the First Degree](#)
- [RCW 9A.44.050 Rape in the Second Degree](#)
- [RCW 9A.44.060 Rape in the Third Degree](#)

### **Fondling**

- [RCW 9A.44.100 Indecent Liberties](#)
- [RCW 9A.44.083 Child Molestation in the First Degree](#)
- [RCW 9A.44.086 Child Molestation in the Second Degree](#)

### **Incest**

- [RCW 9A.64.020 Incest](#)

### **Statutory Rape**

- [RCW 9A.44.073 Rape of a Child in the First Degree](#)
- [RCW 9A.44.076 Rape of a Child in the Second Degree](#)
- [RCW 9A.44.079 Rape of a Child in the Third Degree](#)

### **Robbery**

- [RCW 9A.56.190 Robbery-Definition](#)
- [RCW 9A.56.200 Robbery in the First Degree](#)
- [RCW 9A.56.210 Robbery in the Second Degree](#)

### **Aggravated Assault**

- [RCW 9A.36.011 Assault in the First Degree](#)
- [RCW 9A.36.021 Assault in the Second Degree](#)
- [RCW 9A.36.031 Assault in the Third Degree](#)

### **Burglary**

- [RCW 9A.52.020 Burglary in the First Degree](#)
- [RCW 9A.52.025 Residential Burglary](#)
- [RCW 9A.52.030 Burglary in the Second Degree](#)

### **Motor Vehicle Theft**

- [RCW 9A.56.065 Theft of Motor Vehicle](#)
- [RCW 9A.56.070 Taking Motor Vehicle Without Permission in the First Degree](#)
- [RCW 9A.56.075 Taking Motor Vehicle Without Permission in the Second Degree](#)

### **Arson**

- [RCW 9A.48.020 Arson in the First Degree](#)
- [RCW 9A.48.030 Arson in the Second Degree](#)

### **Hate Crimes**

- [RCW 9A.36.080 Hate Crime Offense-Definition and Criminal Penalty](#)

### **Larceny-Theft**

- [RCW 9A.56.030 Theft in the First Degree](#)
- [RCW 9A.56.040 Theft in the Second Degree](#)
- [RCW 9A.56.050 Theft in the Third Degree](#)

### **Simple Assault**

- [RCW 9A.36.041 Assault in the Fourth Degree](#)

### **Intimidation**

- [RCW 9A.46.020 Harassment](#)

## **Violence Against Women's Act (VAWA)**

### **Domestic Violence**

- [RCW 10.99.020 Domestic Violence-Official Response Definitions](#)

### **Dating Violence**

- [RCW 10.99.020 Domestic Violence-Official Response Definitions](#)

### **Stalking**

- [RCW 9A.46.110 Stalking](#)

## **Arrests and Referrals for Disciplinary Action**

### **Weapons: Carrying, Possessing, Etc.,**

- [RCW 9.41.040 Unlawful Possession of Firearms](#)
- [RCW 9.41.230 Aiming or Discharging Firearms, Dangerous Weapons](#)
- [RCW 9.41.240 Possession of a Pistol or Semiautomatic Assault Rifle by Persons 18 to 21](#)
- [RCW 9.41.250 Dangerous Weapons-Penalty](#)
- [RCW 9.41.270 Weapons Apparently Capable of Producing Bodily Harm-Unlawful Carrying or Handling](#)
- [RCW 9.41.280 Possessing Dangerous Weapons on School Facilities](#)

- [RCW 9.41.282 Possessing Dangerous Weapons on Child Care Premises](#)
- [RCW 9.41.360 Unsafe Storage of a Firearm](#)

### **Drug Abuse Violations**

- [RCW 69.50.401 Prohibited Acts: A-Penalties](#)
- [RCW 69.50.4013 Possession of Controlled Substance-Penalty-Possession of Useable Marijuana, Marijuana Concentrates, or Marijuana-Infused Products-Delivery](#)
- [RCW 69.50.4014 Possession of Forty Grams or Less of Marijuana-Penalty](#)
- [RCW 69.50.4015 Involving a Person Under 18 in Unlawful Controlled Substance Transaction-Penalty](#)
- [RCW 69.50.402 Prohibited Acts: B-Penalties](#)
- [RCW 69.50.403 Prohibited Acts: C-Penalties](#)
- [RCW 69.50.406 Distribution to Persons Under Age Eighteen](#)
- [RCW 69.50.407 Conspiracy](#)
- [RCW 69.50.408 Second or Subsequent Offenses](#)
- [RCW 69.50.410 Prohibited Acts: D-Penalties](#)
- [RCW 69.50.412 Prohibited Acts: E-Penalties](#)
- [RCW 69.50.4121 Drug Paraphernalia-Selling or Giving-Penalty](#)
- [RCW 69.50.415 Controlled Substances Homicide-Penalty](#)
- [RCW 69.50.416 Counterfeit Substances Prohibited-Penalties](#)
- [RCW 69.50.435 Violations Committed in or on Certain Public Places or Facilities-Additional Penalty-Defenses-Construction-Definitions](#)
- [RCW 69.50.438 Cathinone or Methcathinone-Additional Fine](#)
- [RCW 69.50.440 Possession with Intent to Manufacture-Penalty](#)
- [RCW 69.50.445 Opening Package of or Consuming Marijuana, Useable Marijuana, Marijuana Infused Products, or Marijuana Concentrates in View of General Public Place-Penalty](#)
- [RCW 69.50.450 Butane or Other Explosive Gases](#)
- [RCW 69.50.455 Synthetic Cannabinoids-Unfair or Deceptive Practice Under RCW 19.86.020](#)
- [RCW 69.50.460 Cathinone or Methcathinone-Unfair or Deceptive Practice Under RCW 19.86.020](#)
- [RCW 69.50.465 Conducting or Maintaining Marijuana Club-Penalty](#)
- [RCW 69.50.475 Marijuana Retail Outlets-Sale to Persons Under the Age of 21-Penalty](#)

### **Liquor Law Violations**

- [RCW 66.44.100 Opening or consuming liquor in a public place-Penalty](#)
- [RCW 66.44.270 Furnishing Liquor to Minors-Possession, use-Penalties-Exhibition of effects-Exceptions](#)
- [RCW 66.44.290 Minor Purchasing or attempting to purchase liquor-Penalty](#)

## Appendix B - List of non-campus locations

Centennial Hotel Spokane	303 W. North River Dr	Spokane	WA	99201
Comfort Inn & Suites Lakewood	12704 Pacific Hwy SW	Lakewood	WA	98499
Doubletree by Hilton Spokane Center	322 N. Spokane Falls Ct.	Spokane	WA	99201
Double Tree by Hilton Vancouver	12712 SE 2 <sup>nd</sup> Circle	Vancouver, WA	WA	98684
Fairbridge Inn	330 W Appleway Ave	Couer d'Alene	ID	83814
Hampton Inn Portland/Clackamas	9040 SE Adams	Clackamas	OR	97015
Holiday Inn Express Bellingham	4160 Meridian St	Bellingham	WA	98226
Holiday Inn Express & Suites Seattle North	2515 196 <sup>th</sup> St SW	Lynnwood	WA	98306
Holiday Inn Express Hotel & Suites	8606 36 <sup>th</sup> Ave NE	Marysville	WA	98270
Holiday Inn Portland	909 N. Hayden Island Dr.	Portland	OR	97217
Holiday Inn Express Troutdale	477 NW Phoenix Ave	Troutdale	OR	97060
Hotel Diamond	49130 Main St.	Diamond	OR	97722
Marriott Marquis Chicago	2121 S. Prairie Ave	Chicago	IL	60616
Quality Inn Longview	723 7 <sup>th</sup> Ave.	Longview	WA	98632
Radisson on John Deere Commons-Moline	1415 River Dr	Moline	IL	61265
Ramada Tukwila Southcenter	15901 W Valley Hwy	Tukwila	WA	98188
Red Lion Hotel Bellevue	11211 Main St	Bellevue	WA	98004
Red Lion Hotel Pasco	2525 N. 20 <sup>th</sup> Ave	Pasco	WA	99301
Sleep Inn Ontario	1221 SE 1 <sup>st</sup> Ave	Ontario	OR	97918
Sleep Inn & Suites	2855 NW Edenbower Blvd	Roseburg	OR	97471
Blue Mountain Humane Society Dog Park	7 E. George St	Walla Walla	WA	99362
Brent Palmer Arena	51884 Fruitvale Rd	Milton-Freewater	OR	97862
College Place Fire Department	629 S. College Ave	College Place	WA	99324
In Town Ventures	101 N.5 <sup>th</sup> Ave	Walla Walla	WA	99362
Kiwanis Park Pickleball courts	225 SE 2 <sup>nd</sup> St	College Place	WA	99324
Marcus Whitman Gem & Mineral Society Clubhouse	6522 Old Hwy 12	Walla Walla	WA	99362
Menlo Park Pickleball courts	1242 Alvarado Terrace	Walla Walla	WA	99362
Walla Walla Center for Children & Families	1150 W. Chestnut Ave	Walla Walla	WA	99362

Walla Walla Cheese Company	606 N. Main St	Milton-Freewater	OR	97862
Walla Walla County Fairgrounds	363 Orchard St	Walla Walla	WA	99362
Walla Walla County Fire Station 41	2251 S. Howard St	Walla Walla	WA	99362
Walla Walla Fire Station 2	170 N Wilbur Ave	Walla Walla	WA	99362
CDL Practice Lot	430 E. Boeing Ave	Walla Walla	WA	99362
Wine Vineyard 1	G. St between Hwy 12 and Navion Ln	Walla Walla	WA	99362
Wine Vineyard 2	Block between E. Douglas Ave, E St, E. Curtis Ave and 4 <sup>th</sup> St	Walla Walla	WA	99362
Wine Vineyard 3	North side of block of E. St, F St, E. Curtis Ave and 4 <sup>th</sup> St	Walla Walla	WA	99362

## Appendix C - List of Law Enforcement Agencies contacted for Crime Statistics

Bellevue Police Department	450 110 <sup>th</sup> Ave NE	Bellevue, WA 98004
Bellingham Police Department	505 Grand Ave	Bellingham, WA 98225
Chicago Police Department	3510 S. Michigan Ave	Chicago, IL 60653
Clackamas County Sheriff Office	2223 Kaen Rd.	Oregon City, OR 97045
Clarkston Police Department	830 5th St.	Clarkston, WA 99403
College Place Police Department	625 S. College Ave	College Place, WA 99324
Couer d'Alene Police Department	3838 N. Schreiber Way	Couer d'Alene, ID 83815
Harney County Sheriff Office	485 N. Court Ave	Burns, OR 97720
Lakewood Police Department	9401 Lakewood Dr. SW	Lakewood, WA 98499
Longview Police Department	1531 Hudson St	Longview, WA 98632
Lynnwood Police Department	19321 44 <sup>th</sup> Ave W	Lynnwood, WA 98036
Marysville Police Department	1635 Grove St.	Marysville, WA 98270
Milton-Freewater Police Department	722 S. Main St	Milton-Freewater, OR 97862
Moline Police Department	1640 6 <sup>th</sup> Ave.	Moline, IL 61265
Ontario Police Department	444 SW 4 <sup>th</sup> St.	Ontario, OR 97914
Oregon State Police	618 Airport Rd	Pendleton, OR 97801
Pasco Police Department	215 W. Sylvester St.	Pasco, WA 99301
Portland Police Bureau	1111 SW 2 <sup>nd</sup> Ave	Portland, OR 97204
Roseburg Police Department	700 SE Douglas Ave.	Roseburg, OR 97470
Spokane Police Department	1100 W. Mallon Ave	Spokane, WA 99260
Troutdale Police Department	234 SW Kendall Ct.	Troutdale, OR 97060
Tukwila Police Department	6200 Southcenter Blvd	Tukwila, WA 98188
Umatilla Co Sheriff's Office	4700 NW Pioneer Pl	Pendelton, OR 97862
Vancouver Police Department	2800 NE Stapleton Rd.	Vancouver, WA 98661
Walla Walla County Sheriff's Department	240 West Alder St.	Walla Walla, WA 99362
Walla Walla Police Department	54 E Moore St.	Walla Walla, WA 99362

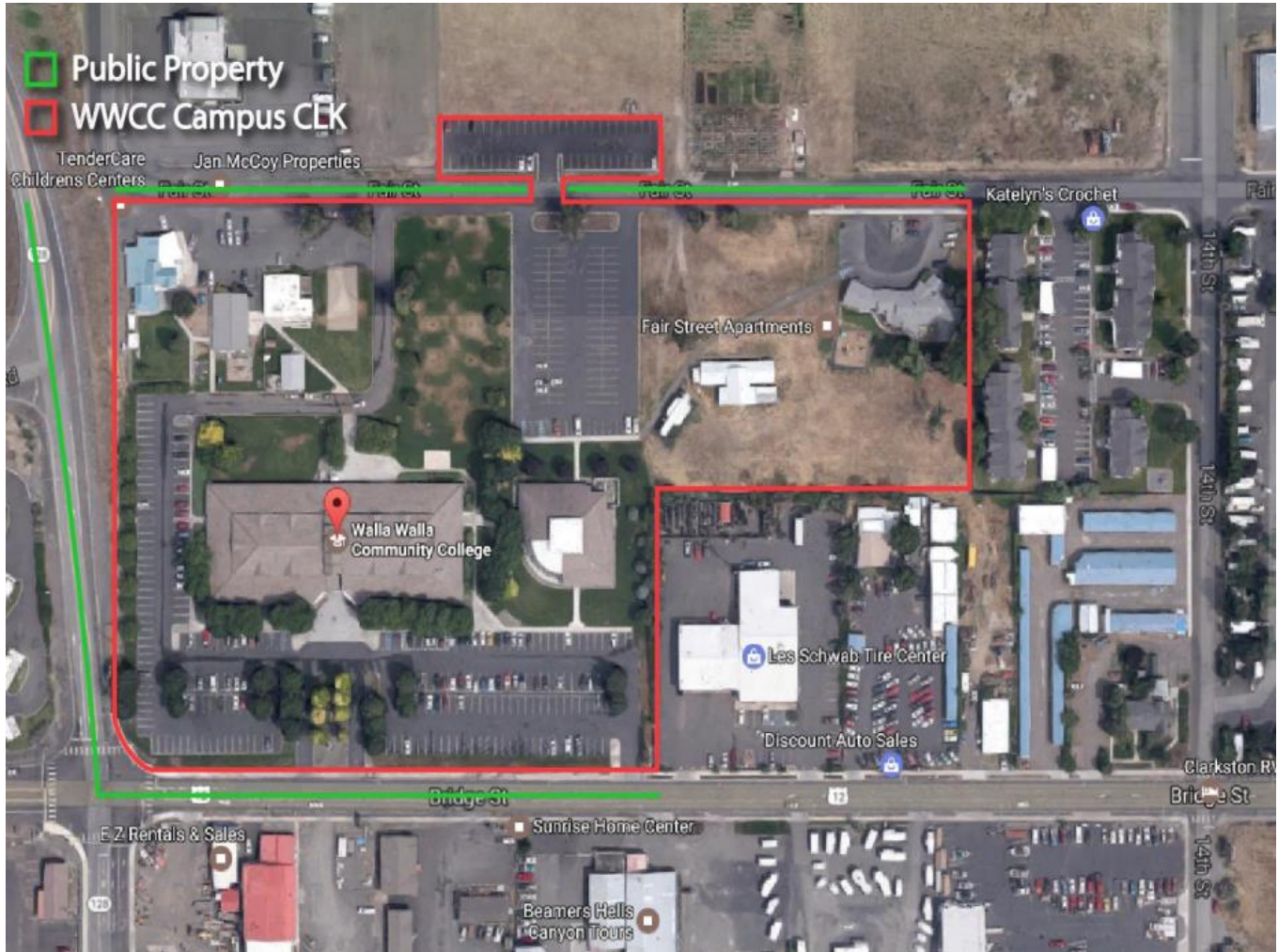
# Appendix D - Clery Reportable Geography Maps

## Walla Walla Campus



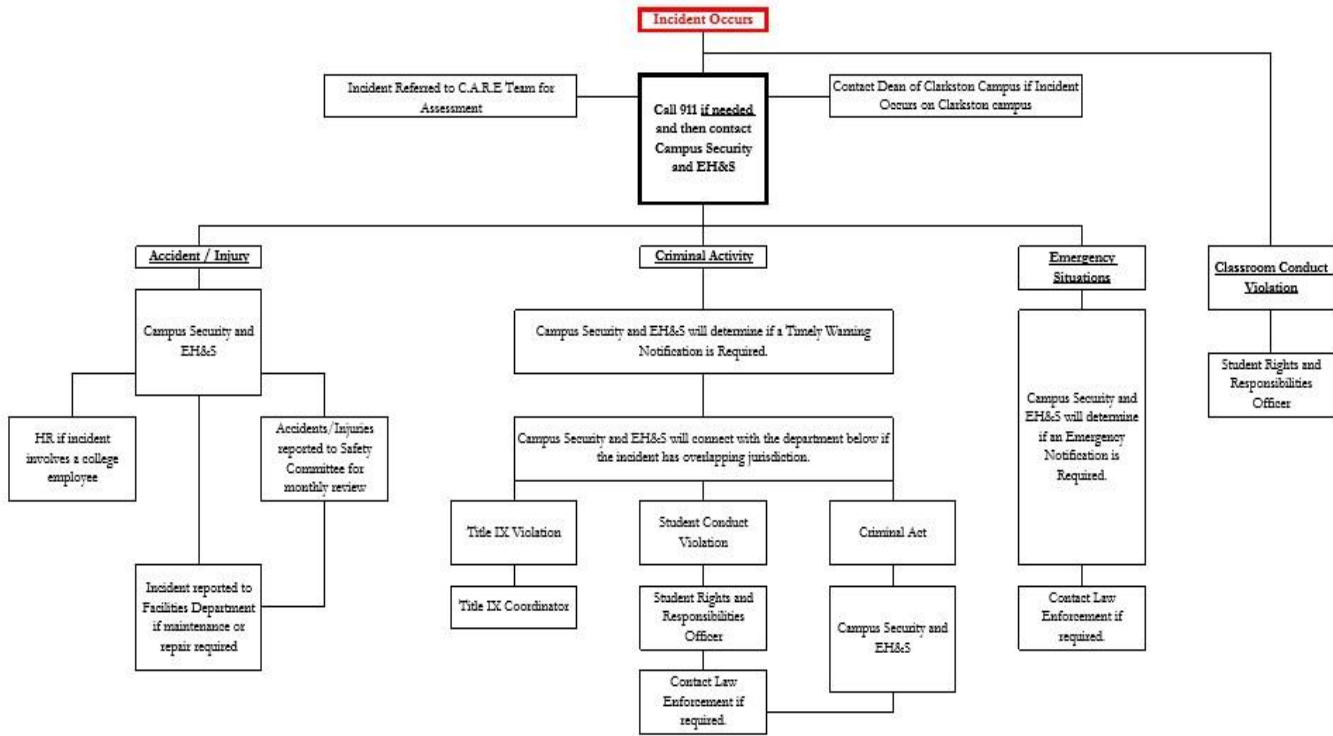


# Clarkston Campus



# Appendix E - Incident Reporting Flow Chart

WWCC Campus Security and Environmental Health and Safety Department  
August 2018



### Additional Reporting Options

Campus Security Authorities	Crime information may be forwarded to Campus Security and EH&S with or without Victims personal information at the discretion of the reporting party. No further action will be taken by Campus Security and EH&S unless victim personal information is included in the reported received from the Campus Security Authority.
College Counseling Staff	Crime information will not be forwarded to Campus Security and EH&S without the consent of the reporting party, unless the information relates to an immediate or future safety and or security threat to the College or a student or employee of the College threatens to inflict self-harm.
Local Law Enforcement	Crimes may be reported to any law enforcement agency. The Walla Walla WA Police Department and the Clarkston WA Police Department have jurisdiction over their respective College campus. Reporting to Campus Security and EH&S is still required after contacting local law enforcement - follow the flow chart above.

C.A.R.E stands for Campus Assistance, Referral and Evaluation team. The WWCC C.A.R.E team's purpose is to monitor, assist and track student behavior concerns in an attempt to intervene, provide assistance and help in the earliest stages of crises.

# Appendix F- Evacuation Rally Point Maps

## Walla Walla Campus



Clarkston Campus



## Appendix G- Campus Security Authority Positions Listed

Name

Position

Adamski, Kathleen	Assistant Dean, Nursing Education
Alonso, Maria	TRIO Advisor
Anhorn, Gerald	Dean of Workforce Education
Bailey, David	Instructor, Diesel Equipment Mechanics, Diesel Mechanics Club Advisor
Becker, Robert	Instructor, Nursing
Bice, Jodi	Instructor, Nursing Clarkston Campus, Nursing Club Advisor
Bockman, Erica	Assistant Director Admissions/Registrar
Boyd, Paul	Instructor, Transitional Studies Clarkston Campus
Bross, Genevieve	Instructor, Nursing Clarkston Campus
Can, Angelica	Program Specialist 2/Continuing Education, Allied Health and Campus Events
Carpenter, Emmalee	Business/Office Technology Instructor Business Leadership Club Advisor
Chamberlin, Lisa	Director of eLearning
Chamberlin, Nick	Purchasing Manger
Chavez, Rolando	Custodian 4, Facility Services
Collins, Casey	Men's Soccer Coach
Conrad-Goff, Lauren	Director of TRIO, Student Support Services
Coronado, Melany	Nursing Instructor Clarkston, Nursing Club Advisor
Coulston, Cullen	Instructor John Deere Agricultural Technology, John Deere Club Advisor
Crawford, Cristie	Educational and Career Navigator
Egbert, Sara	Instructor Chemistry/Math Clarkston Campus Honors Club Advisor
Entrikin, Jay	Director of Culinary Programs and Culinary Arts Club Advisor
Erikson, Debra	Director of Workforce Education Services, Workforce Education
Failing, Keenan	Instruction and Classroom Support Technician 4, Academic Education
Frazier, Debora	Instructor Agriculture/Economics, Agricultural Tech Club Advisor
Greene, Robin	Instructor Computer Technology
Hall, Stacey	Clarkston Fitness Center Monitor
Hazeltine, Bobbi	Women's Basketball Coach, First Year Experience Program Director
Herrmann, Diana	Assistant Director of Advising
Holecek, Melissa	Instructor, Watershed Ecology
Holland, Howard	Welding Technology Instructor Clarkston Campus Welding Club Advisor
Inzunza, Miguel	Advisor/Recruitment & Retention Specialist Student Services Clarkston
Jackson-Vance, Jackson	Library Services, Culture Club & Equity Club Advisor Clarkston
Jones, Julie	Instructor, Music and Vocal Music Club Advisor
Kaawa, Brooke	Volleyball coach
Kennedy, Doreen	Administrative Assistant to the VP's of Advancement / Human Resources
Kimball, Tessa	Director of Advising and Counseling
Kirkpatrick, Claire	Assistant Director of TRIO, Student Support Services
Lawyer, Ashley	Instructor, Cosmetology
Loseth, Lori	Instructor, Science Clarkston Campus
Lueck, Sabrina	Wine Marketing Manager/Instructor
Lyon, Matthew	Instructor, Automotive Technology, Auto Tech Club Advisor
Macon-Moore, Stephanie	Nursing Program Administrator Clarkston Campus
Mandersceid, Rebecca	Program Specialist 2 Health Science Education
Magun, Eli	E&V Global Wine & Food Club Advisor
Margart, Kris	Instructor, Welding Technology and Welding Club Advisor
Mau, Christopher	Instruction & Classroom Support Tech 2 Clarkston Campus
McCoon, Trina	Nursing instructor, Nursing club Advisor
Mckibben, Michelle	Cosmetology Instructor
Meliah, David	Educational & Career Navigator for BFET
Miller, Rhonda	Secretary Senior, Auto Mechanics Technology
Miltenberger, Chad	Dean, Clarkston Campus
Molnaa, Jarrod	Head Baseball Coach

Olmos-Alfaro, Perla	Student Rec Center reception
Parker, Logan	Academic Advisor, Head Softball Coach
Parks, Gabrielle	Women's Soccer Coach
Perez, Joel	Director of Viticulture, Vineyard Manager
Peterson, Katie	Campus Manager, Clarkston Campus
Ray, Jacqueline	Director of Library Services
Reinland, Jeff	Athletic Director, Men's Basketball Coach
Rennison, McKinley	Athletic Trainer
Rodriguez, Melissa	Director of Outreach
Rostollan, Mike	Instructor Professional Golf Management, Golf Coach
Ruzicka, Vince	Assistant Director, Student Activities
Sholar, Michael	Instructor Natural Science Clarkston Campus, Sports Club Advisor
Stacey, Matt	Coordinator, Tutoring and Learning Center
Stahnke, Gwen	Instructor Ag Chemistry/Turf Management and Agricultural Tech Club Advisor
Stecklein, Nadine	Director of Campus Life, ALMA Club Advisor
Steele, Valdasue	Trio advisor Clarkston Campus TRiO Club advisor
Stockdale, Dave	Director of the Water & Environmental Center, Water Resources & Engineering
Swan-Froese, Danielle	Coordinator Enology & Viticulture
Taylor, Jennifer	Library and Archives Paraprofessional 3, Library Services
Toelke, Lana	Instructor, Nursing, Nursing Club Advisor
Verwer, Ilona	Instructor, Nursing, Nursing Club Advisor
Walker, Cynthia	Assistant Dean, Workforce Education and Applied Bachelors Programs
Williams, Wanda	Program Coordinator, Athletics Department
Winnett, Andy	Director John Deere Agricultural Program, JD Club Advisor

# Appendix H- Memorandum of Understanding WWCC/WWPD

## Memorandum of Understanding

### Between Walla Walla Community College and the City of Walla Walla Police Department

THIS MEMORANDUM OF UNDERSTANDING (MOU) is entered into by and between Walla Walla Community College (“WWCC”), and the City of Walla Walla Police Department (“WWPD”). This MOU is meant as a guide to help formalize the commitment of the parties to work together to provide the effort and support required to aid the overall response to sexual assault at WWCC. The parties share the goal of preventing sexual assault at WWCC and the broader community, and responding appropriately to victims of sexual assault. This MOU is intended to allow WWCC to meet its obligations to resolve sexual assault complaints promptly and equitably under Title IX of the United States Education Amendments of 1972 and requirements of SSB 5518, §5.

#### I. Description of the Parties

a. Walla Walla Community College, first established in 1967, is a public community college with its main campus in Walla Walla, as well as serving many communities in southeastern Washington. It has an annual enrollment of over 10,000 students.

b. The City of Walla Walla is home to Walla Walla Community College main campus and has a population of nearly 32,000.

#### II. History of Collaborative efforts

The parties have historically collaborated on sexual violence prevention at WWCC. This MOU builds on the previous efforts to provide the best available services to victims and training relevant personnel.

#### III. The Role of WWCC

WWCC agrees to:

a. Identify a central point of contact with respect to this MOU. The WWCC point of contact shall be the Title IX Administrator;

b. Provide training to its employees about: the federal and state requirements for WWCC in responding to sexual assault; WWCC’s Code of Conduct, policies and procedures in responding to sexual assault and the educational and other accommodations that can be provided to victims of sexual assault. Additionally, WWCC will take care to train its employees in the

differing status of offenses (e.g. sexual misconduct and assault) as defined and investigated by WWCC as compared to similar criminal (or non-criminal) offenses;

c. Provide to its employees and students printed and online materials about reporting options, including information about how to file a complaint with WWCC and how to report a crime to campus Security or WWPDP;

d. Collaborate and coordinate with WWPDP with respect to investigations so as to allow the WWPDP to promptly and efficiently investigate and / or seek prosecution of all matters reported to them and allow WWCC to promptly and equitably investigate all matters reported to it;

e. Inform the WWPDP about the reporting obligations of WWCC employees and identify those employees with whom students can speak confidentially;

f. Inform the WWPDP about WWCC investigations in matters where the claimant/victim is known or suspected to have made a criminal report (consistent with WWCC's legal obligation to promptly investigate);

g. Ensure the availability of its contacts (as provided for herein) and its Title IX Administrator to meet regularly with the WWPDP; and

h. Collaborate with WWPDP on prevention approaches and activities.

#### IV. The Role of the City

The City agrees to:

a. Identify a central point of contact for WWCC and with respect to this MOU. Generally, the City's point of contact will be its assigned police Captain for any investigations pursuant to this MOU and the City Attorney's office as to the MOU itself;

c. Collaborate with WWCC on training and resources for sexual assault prevention as well as general prevention approaches and activities;

d. Collaborate and coordinate with WWCC with respect to investigations so as to allow the WWPDP to promptly and efficiently investigate and /or seek possible prosecution of matters reported to them and allows WWCC to promptly and equitably investigate all matters reported to it;



VI. Miscellaneous

a. Nothing herein shall be interpreted to limit or restrict each of the party's legal, jurisdictional or other obligations with respect to the subject matter of this MOU;

b. The parties understand that each of them has or may have interim obligations with respect to interim or long term safety and security of their respective constituents. For example, despite an ongoing WWPD investigation, WWCC may be required to engage in interim actions or dismiss a student for safety / security concerns despite an ongoing WWPD investigation. This MOU is intended, in part, to facilitate discussion in advance of and as part of such activities; and


c. The parties agree to meet as necessary to discuss and effectuate any amendments necessary to this MOU.

d. Parties may withdraw from this MOU without cause upon notifying the other party in writing 30-days prior to withdrawal.

e. This MOU will automatically renew each year on the anniversary date that it was originally signed, unless a party has withdrawn their participation in the MOU.

Signed this 31<sup>st</sup> day of October, 2016 in Walla Walla, Washington.

**Walla Walla Community College**




Derek R. Brandes, President

**City of Walla Walla**



Nabiel Shawa, City Manager



Scott Beiber, Chief of Police

## Appendix I - Chapter 132T-100 WAC Student Code of Conduct

**WAC 132T-100-010 Preamble.** Walla Walla Community College (here-in referred to as "WWCC" or "the college") is supportive of diversity among ideas, cultures, and student characteristics in the pursuit of advancing one's education. A responsibility to secure, respect, and protect such opportunities and conditions is shared by all members of the academic community. As a member of this community, students are expected to uphold and be accountable for this student code of conduct both on and off campus, and acknowledge that the college has the authority to take disciplinary action when a student violates these policies. As an agency of the state of Washington, WWCC must respect and adhere to all laws established by local, state, and federal authorities. This student code of conduct has been developed to educate students and protect the welfare of the community.

**WAC 132T-100-020 Statement of student rights.** As members of the academic community, students are encouraged to develop the capacity for critical judgment and to engage in an independent search for truth. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the college community. The following enumerated rights are guaranteed to each student within the limitations of statutory law and college policy, and are deemed necessary to achieve the educational goals of the college including:

- (1) Academic freedom - Students are guaranteed the rights of free inquiry, expression, and assembly upon and within college facilities that are generally open and available to the public. Students are free to pursue appropriate educational objectives from among the college's curricula, programs, and services, subject to the limitations of RCW 28B.50.090 (3)(b). Students shall be protected from academic evaluation which is arbitrary, prejudiced, or capricious, but are responsible for meeting the standards of academic performance established by each of their instructors. Students have the right to a learning environment which is free from unlawful discrimination, inappropriate and disrespectful conduct, and any and all harassment, including sexual harassment.
- (2) Due process - The rights of students to be secure in their persons, quarters, papers, and effects against unreasonable searches and seizures is guaranteed. No disciplinary sanction may be imposed on any student without notice to the accused of the nature of the charges. A student accused of violating this code of student conduct is entitled, upon request, to procedural due process as set forth in this chapter.

**WAC 132T-100-030 Definitions.** The following definitions shall apply for the purpose of this student conduct code unless such terms are defined otherwise herein:

- Advisor - A person of the complainant's or respondent's choosing who can accompany the complainant or respondent to any conduct-related meeting or proceeding. This person cannot be involved in the case either as a witness or a college employee who has been involved in the matter. In cases involving allegations of Title IX violations, the Title IX coordinator will appoint the party an advisor of the college's choosing at no cost to the party, if the party fails to choose an advisor.
- Assembly - Any overt activity engaged in by one or more persons, the object of which is to gain publicity, advocate a view, petition for a cause, or disseminate information to any person, persons, or group of persons.
- Business day - A weekday, excluding weekends, college holidays, or other days the

college is closed.

- College facilities - Any and all real property controlled or operated by the college, including all buildings and appurtenances affixed thereon or attached thereto.
- College premises – All campuses of the college, wherever located, and includes all land, buildings, facilities, vehicles, equipment, and other property owned, used, or controlled by the college including adjacent streets and sidewalks.
- Complainant - A person who reports that a violation of the student code of conduct has occurred towards themselves, another person, a group of people, or college property.
- Complaint - A description of facts that allege a violation of student code of conduct or other college policy.
- Conduct review officer - The vice president of student services or other college administrator designated by the president to be responsible for receiving and for reviewing or referring appeals of student disciplinary actions in accordance with the procedures of this code.
- Disciplinary action – The process by which the student conduct officer imposes discipline against a student for a violation of the student conduct code.
- Disciplinary appeal – The process by which an aggrieved student can appeal the discipline imposed by the student conduct officer. Disciplinary appeals from a suspension in excess of ten instructional days or an expulsion or dissolution of a student organization are heard by the student conduct board. Appeals of all other appealable disciplinary action shall be reviewed by the conduct review officer through brief adjudicative proceedings.
- Instructional day - Any regularly scheduled instructional day designated in the academic year calendar, including summer quarter, as a day when classes are held or during final examination week. Saturdays and Sundays, and any full-day campus closures due to holidays or other circumstances are not regularly scheduled instructional days.
- Policy - The written regulations of the college as found in, but not limited to, the student code of conduct and any other official regulation written or in electronic form.
- Preponderance of the evidence - The standard of proof used with all student disciplinary matters at WWCC that are within the jurisdiction of the student code of conduct, which means that the amount of evidence must be at fifty-one percent or "more likely than not" before a student is found responsible for a violation.
- President - The chief executive officer appointed by the board of trustees or, in such president's absence, the acting president or other appointed designee. The president is authorized to delegate any of their responsibilities and reassign any and all duties and responsibilities as set forth in this chapter as may be reasonably necessary.
- Respondent - The student or student organization alleged to have violated WWCC policy including this code of conduct or against whom disciplinary action is being taken or initiated.
- Rules of the student code of conduct - The rules contained herein as now exist or which may be hereafter amended.
- Service or filing - The process by which a document is officially delivered to a party. Service or filing is deemed complete and computation of time for deadlines begins upon personal delivery of the document or upon the date the document is electronically mailed and/or deposited into the mail. Documents required to be filed with the college such as requests for appeals, are deemed filed upon actual receipt by the office as designated herein during office hours.
- Student - Any person taking courses at or through the college, whether on a full-time or part-time basis, and whether such courses are credit courses, noncredit courses, online courses, or otherwise. Persons who withdraw after allegedly violating the code, who are not

officially enrolled for a particular term but who have a continuing relationship with the college, or who have been notified of their acceptance for admission are considered "students" for purposes of this chapter.

- Student conduct board - Also referred to as the "SCB" is a three member panel which presides over cases that could result in a sanction of expulsion, suspension for more than ten days, revocation of a degree, and/or loss of recognition of a student organization using the full adjudicative process pursuant to the Administrative Procedure Act, chapter 34.05 RCW.
- Student conduct committee - Also referred to as the "SCC" is a three member panel which presides over cases involving Title IX allegations pursuant to WAC 132T-100-500 through 132T-100-580.
- Student conduct meeting - The conduct meeting with the student conduct officer using the brief adjudicative process to determine responsibility for violations of the student code of conduct.
- Student conduct officer - Also referred to as "conduct officer" and/or "SCO" is the person designated by the college president to be responsible for the administration of the student code of conduct or, in such person's absence, the acting SCO or other appointed designee. The SCO is authorized to delegate any and all of their responsibilities as may be reasonably necessary.
- Student organization - Any number of persons who have complied with the formal requirements for college recognition, such as clubs and associations, and are recognized by the college as such.

## ARTICLE I

### AUTHORITY FOR THE STUDENT CODE OF CONDUCT

**WAC 132T-100-040 Authority.** The board of trustees, acting pursuant to RCW 28B.50.140(13), delegates to the president of the college the authority to administer disciplinary action. Administration of the disciplinary procedures may be delegated by the president. Unless otherwise specified, the student conduct officer or delegate shall serve as the principal investigator and administrator for alleged violations of this code.

**WAC 132T-100-045 Statement of jurisdiction.** The student conduct code shall apply to student conduct that occurs on college premises; at or in connection with college-sponsored activities; or to off-campus conduct that in the judgment of the college adversely affects the college community or the pursuit of its objectives. Jurisdiction extends to, but is not limited to, locations in which students are engaged in official college activities including, but not limited to, foreign or domestic travel, activities funded by the associated students, athletic events, training internships, cooperative and distance education, online education, practicums, supervised work experiences, or any other college-sanctioned social or club activities. Students are responsible for their conduct from notification of acceptance at the college through the actual receipt of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. These standards shall apply to a student's conduct even if the student withdraws from college while a disciplinary matter is pending. The student conduct officer has sole discretion, on a case-by-case basis, to determine whether the student conduct code will be applied to conduct that occurs off campus.

**WAC 132T-100-050 Good standing.** The award of a degree or certificate is conditioned upon the student's good standing in the college and satisfaction of all program requirements. "Good standing"

means the student has resolved any unpaid fees, or acts of academic or behavioral misconduct, and has complied with all sanctions imposed as a result of any misconduct. WWCC shall deny award of a degree or certificate if the student is dismissed from the college based on their misconduct. The college may withhold awarding a degree or certificate until the completion of the process set forth in the student code of conduct, including the completion of all sanctions imposed, if any.

**WAC 132T-100-060 Student conduct board.** The college will have a SCB composed of three members who shall be vice presidents or deans or directors as designated by the college and trained to conduct the full adjudicative process. The SCB will serve as a standing committee until a final decision is made regarding the student conduct matter for which it was convened. Any SCB member who has a personal relationship with either party or any personal or other interest which would prevent a fair and impartial review and decision, will be recused from the proceedings. One member, acting as the chairperson, will preside at the disciplinary hearing and will provide administrative oversight throughout the hearing process. Any three members constitute a quorum of a conduct board and may act accordingly. The college may retain an advisor to the SCB, including an assistant attorney general. The CRO will convene the members of the SCB when necessary to adjudicate student code of conduct decisions. All SCB members will receive annual training in investigating and adjudicating student conduct matters in a manner that protects the safety and due process rights of the parties.

**WAC 132T-100-065 Student conduct committee.** The college will have a SCC composed of three members designated by the college to serve in matters pursuant to WAC 132T-100-500 through 132T-100-580. The SCC will serve as a standing committee until a final decision is made regarding the student conduct matter for which it was convened. Any SCC member who has a personal relationship with either party or any personal or other interest which would prevent a fair and impartial review and decision, will be recused from the proceedings. One member, acting as the chairperson, will preside at the disciplinary hearing and will provide administrative oversight throughout the hearing process. Any three members constitute a quorum of a SCC and may act accordingly. The college may retain an advisor to the SCC, including an assistant attorney general. The CRO will convene the members of the SCC when necessary to adjudicate student code of conduct decisions. All SCC members will receive annual training in investigating and adjudicating student conduct matters in a manner that protects the safety and due process rights of the parties.

**WAC 132T-100-070 Decisions.** All student conduct decisions are made using the preponderance of evidence standard of proof. These decisions become final after twenty-one days from the date of notification to the student unless a written appeal is filed prior to that final date. Decisions to document a complaint without sanction are not eligible for appeal. All decision notifications by the CRO, SCB, or president will include a statement of the decision, a summary of relevant facts upon which the decision was based, and the procedures for appealing that decision if applicable. The notification will be personally delivered, sent electronically to the student's WWCC email address, or by mail to the student's most recent address on file with the college within twenty instructional days of the student conduct proceeding. Students are responsible for promptly notifying the college of changes to their mailing address. Decisions of findings or sanctions by the CRO which do not include sanctions of expulsion, suspension for more than ten days, withholding or revocation of a degree, or loss of recognition of a student organization may be appealed to the CRO. Decisions of findings of all violations of the student code of conduct which include sanctions of expulsion, suspension for more than ten days, revocation of a degree, or loss of recognition of a student organization can be appealed to the SCB. Decisions of findings or sanctions from the CRO or SCB may be appealed to the college president. Decisions made by the college president are final.

## ARTICLE II PROHIBITED CONDUCT

**WAC 132T-100-100 Conduct—Rules and regulations.** The attendance of a student at WWCC is a voluntary entrance into the academic community. By such entrance, the student assumes obligations of performance and behavior reasonably imposed by the college relevant to its lawful missions, processes, and functions. It is the college's expectation that students will:

- (1) Conduct themselves in a responsible manner;
- (2) Comply with rules and regulations of the college and its departments;
- (3) Respect the rights, privileges, and property of other members of the academic community;
- (4) Maintain a high standard of integrity and honesty; and
- (5) Not interfere with legitimate college business appropriate to the pursuit of educational goals.

A student or student organization is responsible for the conduct of their invited guests, advisors and representatives on or in college owned or controlled property and at activities sponsored by the college or sponsored by any recognized college organization. Any student club or organization shall comply with the student code of conduct. When a member or members of a student club or organization violates the student code of conduct, the members and/or individual member may be subject to appropriate sanctions authorized by this student code of conduct. Any student or student organization that, either as a principal or participator or by aiding or abetting, commits or attempts to commit or who incites, encourages, or assists another person to commit to violate any of the prohibited conduct, rules and regulations, or college policy will be subject to disciplinary action.

**WAC 132T-100-105 Abusive conduct.** Physical and/or verbal abuse, threats, intimidation, harassment, online harassment, coercion, bullying, cyberbullying, retaliation, stalking, cyberstalking, and/or other conduct which threatens or endangers the health or safety of any person or which has the purpose or effect of creating a hostile or intimidating environment.

**WAC 132T-100-108 Abuse of the student conduct process.** Abuse of the student conduct process which includes, but is not limited to:

- (1) Failure to comply with any notice from a college official to appear for a meeting or hearing as part of the student conduct process.
- (2) Willful falsification, distortion, or misrepresentation of information during the conduct process.
- (3) Disruption or interference with the orderly conduct of a college conduct proceeding.
- (4) Filing fraudulent charges or initiating a college conduct proceeding in bad faith.
- (5) Attempting to discourage an individual's proper participation in, or use of, the student conduct process.
- (6) Attempting to influence the impartiality of a member of the college conduct process prior to, during, and/or after any college conduct proceeding.
- (7) Harassment (written, verbal, or physical), retaliation, and/or intimidation of any person or persons involved in the conduct process prior to, during, or after any college conduct proceeding.
- (8) Failure to comply with the sanction(s) imposed under the student code of conduct.

**WAC 132T-100-111 Academic dishonesty.** Any act of academic dishonesty including, but not limited to, cheating, plagiarism, and fabrication. Cheating includes any attempt to give or obtain

unauthorized assistance relating to the completion of an academic assignment. Plagiarism includes taking and using as one's own, without proper attribution, the ideas, writings, or work of another person in completing an academic assignment. Prohibited conduct may also include the unauthorized submission for credit of academic work that has been submitted for credit in another course. Fabrication includes falsifying data, information, or citations in completing an academic assignment and also includes providing false or deceptive information to an instructor concerning the completion of an assignment.

**WAC 132T-100-114 Dishonesty.** Any acts of dishonesty. Such acts include, but are not limited to:

- (1) Forgery, alteration, submission of falsified documents, or misuse of any college document, record, or instrument of identification;
- (2) Tampering with an election conducted by or for college students; or
- (3) Furnishing false information, or failing to furnish correct information, in response to the request or requirement of a college officer or employee.

**WAC 132T-100-117 Obstructive or disruptive conduct.** Conduct, not otherwise protected by law, that interferes with, impedes, or otherwise unreasonably hinders:

- (1) Instruction, research, administration, disciplinary proceeding, or other college activities, including the obstruction of the free flow of pedestrian or vehicular movement on college property or at a college activity; or
- (2) Any activity that is authorized to occur on college property, whether or not actually conducted or sponsored by the college.

**WAC 132T-100-120 Assault, intimidation, harassment.** Unwanted touching, physical abuse, verbal abuse, threat(s), intimidation, harassment, bullying, or other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person or another person's property. For purposes of this code, "bullying" is defined as repeated or aggressive unwanted behavior, not otherwise protected by law that intentionally humiliates, harms, or intimidates the victim.

**WAC 132T-100-123 Cyber misconduct.** Cyberstalking, cyberbullying, or online harassment. Use of electronic communications including, but not limited to, electronic mail, instant messaging, electronic bulletin boards, and social media sites, to harass, abuse, bully, or engage in other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person. Prohibited activities include, but are not limited to, unauthorized monitoring of another's email communications directly or through spyware, sending threatening emails, disrupting electronic communications with spam or by sending a computer virus, sending false messages to third parties using another's email identity, nonconsensual recording of sexual activity, and nonconsensual distribution of a recording of sexual activity.

**WAC 132T-100-126 Property violation.** Damage to, misappropriation of, unauthorized use or possession of, vandalism, or other non-accidental damaging or destruction of college property or the property of another person. Property for purposes of this section includes computer passwords, access codes, identification cards, personal financial account numbers, other confidential personal information, intellectual property, and college trademarks.

**WAC 132T-100-129 Failure to comply with directive.** Failure to comply with the directive of a college officer or employee who is acting in the legitimate performance of their duties, including conduct directives contained in a program student handbook, and including failure to properly identify oneself to such a college employee when requested to do so.

**WAC 132T-100-132 Weapons.** Carrying, exhibiting, displaying or drawing any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, or any other weapon apparently capable of producing bodily harm, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons, subject to the following exceptions:

- (1) Commissioned law enforcement personnel or legally authorized military personnel while in performance of their duties;
- (2) The president may grant permission to bring a weapon on campus upon a determination that the weapon is reasonably related to a legitimate pedagogical purpose. Such permission shall be in writing and shall be subject to such terms or conditions incorporated in the written permission; and
- (3) This policy does not apply to the possession and/or use of disabling chemical sprays when possessed and/or used for self-defense.

**WAC 132T-100-135 Hazing.** Hazing includes, but is not limited to, any initiation into a student organization or any pastime or amusement engaged in with respect to such an organization that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student.

**WAC 132T-100-138 Alcohol, drug, and tobacco violations.**

- (1) Alcohol. The use, possession, delivery, sale of any alcoholic beverage except as permitted by law and applicable college policies or being observably under the influence of any alcoholic beverage.
- (2) Marijuana. The use, possession, delivery, or sale of marijuana or the psychoactive compounds found in marijuana intended for human consumption, regardless of form, or being observably under the influence of marijuana or the psychoactive compounds found in marijuana. While state law permits the recreational use of marijuana, federal law prohibits such use on college premises or in connection with college activities.
- (3) Drugs. The use, possession, delivery, sale, or being observably under the influence of any legend drug, including anabolic steroids, androgens, or human growth hormones as defined in chapter 69.41 RCW, or any other controlled substance under chapter 69.50 RCW, except as prescribed for a student's use by a licensed practitioner.
- (4) Tobacco, electronic cigarettes, and related products. The use of tobacco, electronic cigarettes, and related products in any building owned, leased or operated by the college or in any location where such use is prohibited. "Related products" include, but are not limited to, cigarettes, pipes, bidi, clove cigarettes, water pipes, hookahs, smokeless tobacco, vaporizers, and snuff.

**WAC 132T-100-141 Lewd conduct.** Conduct which is lewd or obscene that is not otherwise protected under the law.

**WAC 132T-100-144 Discriminatory conduct.** Conduct which harms or adversely affects any member of the college community because of the member's race; color; national origin; sensory, mental, or physical disability; use of a service animal; gender, including pregnancy; marital status; age; religion; creed; sexual orientation; gender identity; veteran's status; or any other legally protected classification.

**WAC 132T-100-147 Sexual misconduct.** The term "sexual misconduct" includes sexual



harassment (as defined below and/or as prohibited by Title IX as defined in the supplemental Title IX student conduct procedures), sexual intimidation, and sexual violence.

- (1) Sexual harassment. The term "sexual harassment" means unwelcome sexual or gender-based conduct, including unwelcome sexual advances, requests for sexual favors, quid pro quo harassment, and other verbal, nonverbal, or physical conduct of a sexual or a gendered nature that is sufficiently severe, persistent, or pervasive as to:
  - (a) Deny or limit the ability of a student to participate in or benefit from the college's educational program;
  - (b) Alter the terms or conditions of employment for a college employee(s); and/or
  - (c) Create an intimidating, hostile, or offensive environment for other campus community members.
- (2) Sexual intimidation. The term "sexual intimidation" incorporates the definition of "sexual harassment" and means threatening or emotionally distressing conduct based on sex including, but not limited to, nonconsensual recording of sexual activity or the distribution of such recording.
- (3) Sexual violence. "Sexual violence" is a type of sexual discrimination and harassment. Nonconsensual sexual intercourse, nonconsensual sexual contact, domestic violence, dating violence, and stalking are all types of sexual violence.
  - (a) Nonconsensual sexual intercourse. Any actual or attempted sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.
  - (b) Nonconsensual sexual contact. Any actual or attempted sexual touching, however slight, with any body part or object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.
  - (c) Incest. Sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of eighteen.
  - (d) Statutory rape. Consensual intercourse between a person who is eighteen years of age or older and a person who is under the age of sixteen.
  - (e) Domestic violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Washington, 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 state of Washington, RCW 26.50.010.
  - (f) Dating violence, physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person:
    - (i) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
    - (ii) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
      - (A) The length of the relationship;

- (B) The type of relationship; and
  - (C) The frequency of interaction between the persons involved in the relationship.
- (g) Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
- (i) Fear for their safety or the safety of others; or
  - (ii) Suffer substantial emotional distress.
- (4) For purposes of this code, "consent" means knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Each party has the responsibility to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be at the time of the act of sexual intercourse or sexual contact, actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact. 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 other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated, has engaged in nonconsensual conduct. Intoxication is not a defense against allegations that an individual has engaged in nonconsensual sexual conduct.

**WAC 132T-100-150 Harassment.** Unwelcome and offensive conduct, including verbal, nonverbal, or physical conduct, that is directed at a person because of such person's protected status and that is sufficiently serious as to deny or limit, and that does deny or limit, the ability of a student to participate in or benefit from the college's educational program, that changes the terms or conditions of employment for a college employee, or that creates an intimidating, hostile, or offensive environment for other campus community members. Protected status includes a person's race; color; national origin; sensory, mental, or physical disability; use of a service animal; gender, including pregnancy; marital status; age; religion; creed; sexual orientation; gender identity; veteran's status; or any other legally protected classification. See "sexual misconduct" for the definition of "sexual harassment." Harassing conduct may include, but is not limited to, physical conduct, verbal, written, social media, and electronic communications.

**WAC 132T-100-153 Retaliation.** Harming, threatening, intimidating, coercing, or taking adverse action of any kind against a person because such person reported an alleged violation of this code or college policy, provided information about an alleged violation, or participated as a witness or in any other capacity in a college investigation or disciplinary proceeding.

**WAC 132T-100-156 Misuse of electronic resources.** Theft or other misuse of computer time or other electronic information resources of the college. Such misuse includes, but is not limited to:

- (1) Unauthorized use of such resources or opening of a file, message, or other item;
- (2) Unauthorized duplication, transfer, or distribution of a computer program, file, message, or other item;
- (3) Unauthorized use or distribution of someone else's password or other identification;
- (4) Use of such time or resources to interfere with someone else's work;
- (5) Use of such time or resources to send, display, or print an obscene or abusive message, text, or image;
- (6) Use of such time or resources to interfere with normal operation of the college's computing system or other electronic information resources;
- (7) Use of such time or resources in violation of applicable copyright or other law;
- (8) Adding to or otherwise altering the infrastructure of the college's electronic information

- resources without authorization; or
- (9) Failure to comply with the college's electronic use policy.

**WAC 132T-100-159 Unauthorized access.** Unauthorized possession, duplication, or other use of a key, keycard, or other restricted means of access to college property, or unauthorized entry onto or into college property.

**WAC 132T-100-162 Safety violations.** Non-accidental conduct that interferes with or otherwise compromises any college policy, equipment, or procedure relating to the safety and security of the campus community, including tampering with fire safety equipment and triggering false alarms or other emergency response systems.

**WAC 132T-100-165 Violation of other laws or policies.** Violation of any federal, state, or local law, rule, or regulation or other college rules or policies, including college traffic and parking rules.

**WAC 132T-100-168 Ethical violation.** The breach of any generally recognized and published code of ethics or standards of professional practice that governs the conduct of a particular profession for which the student is taking a course or is pursuing as an educational goal or major.

## ARTICLE III

### STUDENT CODE OF CONDUCT PROCEDURES

**WAC 132T-100-200 Student conduct process.** As an agency of the state of Washington, the college's student conduct officer (SCO), student conduct board (SCB), student conduct committee (SCC), conduct review officer (CRO), or president may be advised or represented by an assistant attorney general in any student code of conduct proceeding.

**WAC 132T-100-210 Violation of law and college discipline.** College disciplinary proceedings may be used to determine responsibility of a student for conduct that potentially violates the criminal law and this student code of conduct (that is, if both alleged violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this student code of conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings. Determinations made or sanctions imposed under this student code of conduct will not be subject to change because criminal charges arising out of the same facts giving rise to violation of college rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant. In addition to initiating discipline proceedings for violation of the student code of conduct, the college may refer any violations of federal, state, or local laws to civil and criminal authorities for disposition. The college reserves the right to pursue student disciplinary proceedings regardless of whether the underlying conduct is subject to civil or criminal prosecution.

- (1) Initiation of disciplinary action. A request for disciplinary action for violation(s) of the student code of conduct must be made to the SCO as soon as possible following the violation. Conduct proceedings may be initiated when the SCO receives any direct or indirect re-report of conduct that may violate this code, which includes, but is not limited to, a police report, an incident report, a witness statement, other documentation, or a verbal or written report from a complainant, witness, or other third party. The college may initiate disciplinary action under the student code of conduct regardless of whether or not the incident in question is the subject of criminal or civil proceedings. Any member of the college's administration, faculty, staff, or any student or nonstudent may make a request

for disciplinary action and it must be a good faith claim. Formal rules of evidence, such as are applied in criminal or civil court, are not used in conduct proceedings. Relevant evidence, including hearsay, is admissible if it is the type of evidence that reasonable persons would rely upon in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded. The SCO, SCB, or college president will determine the admissibility of evidence and may seek clarification from witnesses as needed. If the complaint indicates that the matter involves sexual misconduct, the SCO will forward the complaint to the Title IX coordinator for review in accordance with the college's discrimination and harassment policy and grievance procedure. The SCO or designee will conduct an initial investigation of a complaint to determine whether it alleges conduct that may be prohibited by the student code of conduct. If it is determined through the initial investigation that the report has merit, the SCO will conduct an investigation to determine responsibility. Except in cases of sexual assault or sexual violence, the parties may elect to mediate the dispute, which shall be facilitated by the SCO or delegate. If the SCO has a conflict of interest or is the subject of a complaint by the student, the vice president for student services or designee shall, upon request and at their discretion, designate another person to fulfill any such disciplinary responsibilities relative to the request for disciplinary action.

(2) Notification requirements.

- (a) If it is determined through the initial investigation that an alleged violation of the student code of conduct might have occurred and which is not eligible for referral to the Title IX officer, the SCO will provide the following written notification:
  - (i) That a report has been submitted alleging conduct which violates the student code of conduct and that a conduct investigation has been initiated to determine responsibility;
  - (ii) The specific sections of the student code of conduct which are alleged to have been violated;
  - (iii) That the student may either accept responsibility for the alleged violations or request a conduct meeting with the SCO to present evidence to refute the report;
  - (iv) That the student may provide evidence such as names and contact information of witnesses to aid the conduct investigation;
  - (v) The possible sanction outcomes and that the actual sanctions will depend on the determination of responsibility pending the results of the investigation; and
  - (vi) That if the student fails to participate in any stage of the conduct proceedings or to request a conduct meeting within fifteen days from the date of the notice, the college may move forward with the conduct proceeding without their participation.
- (b) If the student requests a conduct meeting within fifteen days of the notice, the student will be provided a written notice to appear for a conduct meeting. The notice to appear will be personally delivered, sent electronically to the student's WWCC email address, or sent by mail to the most recent address in the student's record on file with the college, not later than fifteen instructional days after the request for a conduct meeting. The notice will not be ineffective if presented later due to the student's absence. Such notice will:
  - (i) Set forth the specific provisions of the student code of conduct and the specific acts which are alleged to be violations, as well as the date(s) of the violations, and a description of evidence, if any, of the violation.

- (i i) Notify the student of the SCO's investigation and possible sanctions, if any.
  - (i i i) Specify the time, date, and location where the student is required to meet with the SCO. The meeting will be scheduled no earlier than three instructional days, but within thirty instructional days of the date on the notice to appear sent to the student. The SCO may modify the time, date, and location of the meeting, either at the student's or college's request, for reasonable cause.
  - (i v) Inform the student that failure to attend the conduct meeting will not stop the disciplinary process and may result in a transcript/registration hold being placed onto the student's account, and disciplinary actions.
  - (v) Inform the student that they may be accompanied at the meeting by an advisor at their expense. The advisor cannot be a college employee or witness. If the student or their advisor is found to have tampered with witnesses or evidence, or destroyed evidence, the student will be held accountable in the conduct process for their acts and those of their advisor.
  - (v i) Inform the student that they may present evidence to support their assertions during the meeting.
- (3) Student conduct meeting – Brief adjudicative process.
- (a) During the student conduct meeting, the student will be informed of the following:
    - (i) The specific acts and the provision(s) of college policy that the student is alleged to have violated;
    - (i i) The disciplinary process;
    - (i i i) The range of sanctions which might result from the disciplinary process and that the actual sanctions will depend on the findings of responsibility;
    - (i v) The student's right to appeal.
  - (b) The student will have the opportunity to review and respond to the allegation(s) and evidence and provide the SCO with relevant information, evidence and/or witnesses to the alleged violation(s), and/or explain the circumstances surrounding the alleged violation(s).
  - (c) The advisor may assist the student during the conduct meeting, however the student is responsible for presenting their own information and evidence. The advisor may only communicate with the student they are advising. Any disruptions or failure to follow the conduct process and/or directions of the SCO may result in the advisor being excused from the meeting.
- (4) Decision by the SCO.
- (a) After interviewing the student or students involved and/or other individuals as appropriate, and considering the evidence, the SCO may take any of the following actions:
    - (i) Determine that the student is not responsible for a violation of the student code of conduct and thereby terminate the student conduct process;
    - (i i) Determine that the student is responsible for a violation of the student code of conduct and impose disciplinary sanctions as provided herein;
    - (i i i) Determine that further inquiry is necessary and schedule another meeting for reasonable cause;
  - (b) Notification of the decision by the SCO will be issued pursuant to WAC 132T-100-070 within thirty instructional days of the final student conduct meeting. Due to federal privacy law, the college may not disclose to the complainant any sanctions imposed on the responding student unless the complainant was the alleged victim of a violent crime as defined under the Federal Educational Rights and Privacy Act

(FERPA)(20 U.S.C. Sec. 1232g; 34 C.F.R. Part 99), or the responding student consents to such disclosure. A copy of the decision notification will be filed with the office of the SCO.

- (c) Disciplinary action taken by the SCO is final unless the student exercises the right of appeal as provided herein.

**WAC 132T-100-220 Appeal process.** The student may appeal a disciplinary action by filing a written notice of appeal with the conduct review officer within ten days of service of the student conduct officer's decision. Failure to timely file a notice of appeal constitutes a waiver of the right to appeal and the student conduct officer's decision shall be deemed final.

- (1) The request for appeal must include a brief statement explaining the grounds for the appeal or why the student is seeking review. Disagreement with the finding and/or with the sanctions does not, by itself, represent grounds for appeals. Decisions may be appealed for one or more of the following:
  - (a) To determine whether there was a procedural error that substantially affected the outcome of the finding or sanctioning. Deviation from designated procedures is not a basis for sustaining an appeal unless significant prejudice results.
  - (b) To determine whether the sanction(s) imposed were appropriate and not excessively lenient or excessively severe for the violation of the student code of conduct for which the student was found responsible.
  - (c) To consider new information, sufficient to alter a decision, or other relevant facts not brought during fact finding, because such information and/or facts were not known, and the student bringing the appeal had no duty to discover or could not have reasonably discovered facts giving rise to the issues during investigation or fact-finding. The notice of appeal must include a brief statement explaining why the respondent is seeking review.
- (2) The parties to an appeal shall be the respondent and the conduct review officer.
- (3) A student who timely appeals a disciplinary action or whose case is referred to the student conduct committee, has a right to a prompt, fair, and impartial hearing as provided for in these procedures.
- (4) On appeal, the college bears the burden of establishing the evidentiary facts underlying the imposition of a disciplinary sanction by a preponderance of the evidence.
- (5) Imposition of disciplinary action for violation of the student code of conduct shall be stayed pending appeal, unless the respondent has been summarily suspended.
- (6) The student conduct board shall hear appeals from:
  - (a) The imposition of disciplinary suspensions in excess of ten instructional days;
  - (b) Dismissals;
  - (c) Withholding or revocation of a degree; or
  - (d) Loss of recognition of a student organization.
- (7) Student conduct appeals from the imposition of the following disciplinary sanctions shall be reviewed through a brief adjudicative proceeding:
  - (a) Suspensions of ten instructional days or less;
  - (b) Disciplinary probation;
  - (c) Written reprimands; and
  - (d) Any conditions or terms imposed in conjunction with one of the foregoing disciplinary actions.
- (8) Except as provided elsewhere in these rules, disciplinary warnings and dismissals of disciplinary actions are final actions and are not subject to appeal.
- (9) Disciplinary decisions of the SCO may be appealed for review by the CRO using the brief

adjudicative process. Disciplinary decisions of the CRO may be appealed for review by the college president using the brief adjudicative process. Appeals of disciplinary decisions of the SCO, or decisions made by the SCC pursuant to WAC 132T-100-500 through 132T-100-580, involving sanctions of suspension for more than ten days, expulsion, withholding or revocation of a degree, or loss of recognition of a student organization will be referred to the SCB for a full adjudicative process in accordance with WAC 132T-100-240. Disciplinary decisions by the SCB may be appealed for review by the college president using the brief adjudicative process. The college president's decisions are final.

**WAC 132T-100-230 Brief adjudicative process.**

- (1) The brief adjudicative process is conducted in accordance with RCW 34.05.482 through 34.05.494.
- (2) The SCO and CRO will use the brief adjudicative process to make decisions of findings of responsibility as provided in this code of conduct.
- (3) The president will use the brief adjudicative process to review appeals of all disciplinary decisions made by the SCB.
- (4) Within twenty days of filing the appeal, the CRO or president, as applicable, shall review the record of the preceding conduct decision and all relevant information provided by the parties, and based on a preponderance of the evidence, shall make a determination to affirm, reverse, or modify the findings and/or sanctions. The CRO and president shall have the discretion to seek clarification from witnesses as needed.
- (5) Notification of the decision will be issued pursuant to WAC 132T-100-070.

**WAC 132T-100-240 Full adjudicative process.** The SCB will use the following full adjudicative process to determine responsibility for serious violations which include sanctions of suspension for more than ten days, expulsion, withholding or revocation of a degree, or loss of recognition of a student organization.

- (1) The parties will be sent written notification of the SCB adjudication proceedings within ninety days from the date of the filing of the appeal. The notification will contain the following:
  - (a) The time, date, and location of the hearing, which shall not be less than seven days from the date of the notice of the hearing;
  - (b) The specific acts alleged and the provision(s) of college policy which those acts violated;
  - (c) The SCB procedures;
  - (d) The name and contact information for the SCB and their advisor, if any, representing the college. The notice will include the official title, work mailing address, and telephone number of each of these individuals;
  - (e) Unless otherwise ordered by the SCB chairperson, the name and mailing addresses of all parties to whom notice is being given and, if known, the names and addresses of their advisors; and
  - (f) A statement that if a party fails to attend or participate in a hearing or other stage of this adjudicative proceeding, they may be held in default in accordance with chapter 34.05 RCW and/or the college may continue the student conduct process, including the hearing, despite the party's absence.
- (2) The respondent and complainant have the right to be assisted by one advisor of their choice and at their own expense. The advisor must be someone who is not employed by the college. If the respondent chooses to have an attorney serve as their advisor, the student must provide notice to the SCB no less than five instructional days prior to the hearing.

The SCB hearing may not be delayed due to the scheduling conflicts of an advisor and such requests will be subject to the discretion of the SCB chairperson. If the student or their advisor is found to have tampered with witnesses or evidence, or destroyed evidence, the student will be held accountable in the conduct process for their acts and those of their representative/advisor. The respondent and/or complainant are responsible for presenting their own information, and therefore, during the hearing, advisors are not permitted to address the SCB, witnesses, the SCO, or any party or advisor invited by the parties to the hearing. An advisor may communicate with their advisee and recesses may be allowed for this purpose at the discretion of the SCB chairperson. The advisor may not disrupt or interfere with any aspect of the proceeding. The SCB chairperson shall have the right to impose reasonable conditions upon the participation of the advisor.

- (3) The SCB and the parties will be provided reasonable access to the documentation and evidence which will be reviewed by the SCB, as well as the case file that will be retained by the SCO in accordance with applicable privacy laws.
- (4) Any SCB member who participated in determining sanctions imposed under WAC 132T-100-570 may not serve on a SCB hearing an appeal of those sanctions.
- (5) Any SCB member who has a personal relationship with either party or any personal or other interest which would prevent a fair and impartial review and decision will be recused from the proceedings. A party may make a written request to the SCB chairperson for the recusal of an SCB member no less than five instructional days prior to the hearing. The request must be for good cause, which must be shown by the party making the request. The SCB chairperson will consider the request and notify the student of their decision regarding the recusal prior to the hearing. If the SCB chairperson grants the recusal, a replacement for the recused SCB member will be made without unreasonable delay.
- (6) The parties involved in the hearing will be required to submit their witness list and any evidence to be discussed at the hearing to the SCB chairperson no less than five instructional days prior to the hearing. Each party is allowed a maximum of three character witnesses to appear on their behalf. The parties must submit a witness list which contains a written statement from each witness that includes a brief description of the relevant information the witness will provide during the hearing. Witnesses not listed will not participate in the hearing.
- (7) Discovery in the form of depositions, interrogatories, and medical examinations of parties are not permitted in student conduct adjudications. Other forms of discovery which ensure the prompt and thorough completion of the adjudication process may be permitted at the discretion of the SCB chairperson.
- (8) Hearings will be closed to the public except if consented to by all parties and at the discretion of the SCB chairperson. Witnesses may be allowed in the hearing room only during the time in which they provide their statements to the SCB. The complainant and respondent, depending on their preference and subject to orders of a court of law, such as protection orders, may be present for and observe the entire hearing. At the discretion of the SCB chairperson, and where the rights of the parties will not be prejudiced, all or part of the hearing may be conducted by telephone, video conference, or other electronic means. Each party shall have the opportunity to hear and if technically and economically feasible, to see the entire hearing while it is taking place. At all times, however, all parties, their advisors, the witnesses, and the public will be excluded during the deliberations of the SCB.
- (9) The SCB chairperson will exercise control over the hearing to avoid needless consumption of time and to prevent the harassment or intimidation of witnesses. Any person, including the respondent and complainant, who disrupts a hearing or who fails to follow the



directions of the SCB chairperson, may be excluded from the proceedings and may be subject to disciplinary action.

- (10) Questions posed by any party to be answered by each other or by witnesses must be appropriate and respectful. The SCB chairperson may require any participant of the hearing to provide all questions in writing to the SCB chairperson. The SCB chairperson, if appropriate and at their sole discretion, will read the question to the individual to whom it is directed. Any question which the SCB chairperson has chosen not to read will be documented on record and kept within the case file. The SCB chairperson will decide matters related to the order of the proceedings.
- (11) In order that a complete record of the proceeding can be made to include all evidence presented, hearings will be recorded or transcribed, except for the deliberations of the SCB. The record will be the property of the college.
- (12) After weighing and considering the evidence, the SCB will decide by majority vote whether the respondent is responsible or not responsible for a violation of the student code of conduct. If there is a finding of responsibility for a violation, the SCB shall impose sanctions as set forth herein.
- (13) The SCB's decision is made on the basis of a "preponderance of the evidence" standard of proof, that is, whether it is more likely than not that the respondent violated the student code of conduct.
- (14) The notice of decision of the SCB will be issued pursuant to WAC 132T-100-070. A copy of the SCB's decision will also be filed with the office of the SCO.
- (15) Disciplinary action taken by the SCB is final unless the student exercises the right of appeal to the college president as provided herein.

**WAC 132T-100-250 Academic dishonesty process.**

- (1) The class instructor is responsible for handling each case of academic dishonesty in the classroom and for determining a penalty grade as outlined in the course syllabus.
- (2) If, within the instructor's professional judgment, reasonable evidence would suggest that a student engaged in academic dishonesty, the instructor will provide notice to the student, either written or verbal, of their assertion of academic dishonesty and of the academic penalty grade within thirty instructional days of the occurrence or when the instructor is made aware of the occurrence.
- (3) The instructor will submit a report to the SCO of the assertion of academic dishonesty, the explanation of the notice or actual notice given to the student, and a copy of all relevant evidence. The instructor may request that the incident only be documented with the SCO, or refer the matter for disciplinary action. If the student has a previous academic dishonesty record, the SCO may choose to move forward with the disciplinary process without an instructor's request.

**WAC 132T-100-260 Classroom conduct.** Instructors have the authority to take appropriate action to maintain order and proper conduct in the classroom and to maintain the effective cooperation of the class in fulfilling the objectives of the course. An instructor may exclude a student from any single class/program session during which the student is currently being so disorderly or disruptive that it is difficult or impossible to maintain classroom decorum. The instructor will report any such exclusion from the class/program session to the SCO. The SCO may initiate disciplinary action under the student code of conduct.

**WAC 132T-100-270 Sexual misconduct procedures.**

- (1) The college's Title IX coordinator or designee shall review and investigate reports of sexual

misconduct in accordance with the college's discrimination and harassment policy and grievance procedure.

- (2) College personnel will honor requests to keep sexual misconduct complaints confidential to the extent this can be done without unreasonable risk to the health, safety, and welfare of the complainant or other members of the college community, or compromising the college's duty to investigate and process sexual harassment and sexual violence complaints.
- (3) Both the respondent and the complainant in cases involving allegations of sexual misconduct shall be provided the same procedural rights to participate in the disciplinary process, to simultaneously receive notifications, and to appeal the finding and/or sanction.
- (4) Notification of the results of the investigation or disciplinary action, if any, will be personally delivered, sent electronically to the student's WWCC email address, or sent by mail to the most recent address in the student's record on file with the college.
- (5) In the event of conflict between the sexual misconduct procedures and the student code of conduct, the sexual misconduct procedures shall govern.
- (6) All college employees who coordinate, investigate, or adjudicate issues involving sexual misconduct shall receive annual training on domestic violence, dating violence, sexual assault, stalking, and investigation and adjudication processes that protect the safety and due process rights of the parties.

**WAC 132T-100-280 Sexual misconduct appeal procedures.**

- (1) A party may appeal a sexual misconduct disciplinary decision for review according to the procedures as stated in this code of conduct by filing a written request for appeal with the office of the CRO within twenty-one days of the notification of the disciplinary decision.
- (2) The college shall notify the other party of the appeal and provide that party an opportunity to respond to the appeal.
- (3) Failure to file a timely notice of appeal constitutes a waiver of this right and the disciplinary decision shall become final.

**WAC 132T-100-290 Disciplinary sanctions and terms and conditions.** The following disciplinary sanctions may be imposed upon students found to have violated the student conduct code. If the respondent is found responsible for any violation, the student's past disciplinary record may be considered in determining an appropriate sanction.

- (1) Sanctions.
  - (a) Disciplinary warning. A verbal statement to a student that there is a violation and that continued violation may be cause for further disciplinary action.
  - (b) Written reprimand. Notice in writing that the student has violated one or more terms of this code of conduct and that continuation of the same or similar behavior may result in more severe disciplinary action.
  - (c) Loss of privileges. Denial of specified privileges for a designated period of time. Services and approval to be withdrawn may include, but are not limited to, intramural sports, information technology services, library and/or tutoring services, club activities, student leadership roles, college facility use and rental, and involvement in organizational activities.
  - (d) Loss of recognition. A student organization's recognition may be withheld permanently or for a specific period of time. Loss of recognition is defined as withholding college services or administrative approval from a student organization. Services and approval to be withdrawn may include, but are not limited to, funding, information technology services, college facility use, and involvement in organizational activities.

- (e) Disciplinary probation. Formal action placing specific conditions and restrictions upon the student's continued attendance depending upon the seriousness of the violation and which may include a deferred disciplinary sanction. If the student subject to a deferred disciplinary sanction is found in violation of any college rule during the time of disciplinary probation, the deferred disciplinary sanction, which may include, but is not limited to, a suspension or a dis-missal from the college, shall take effect immediately without further review. Any such sanction shall be in addition to any sanction or conditions arising from the new violation. Probation may be for a limited period of time or may be for the duration of the student's attendance at the college. Written notice of disciplinary probation will specify the period of probation and any condition(s) upon which their continued enrollment is contingent. Such conditions may include, but not be limited to, adherence to terms of a behavior contract or limiting the student's participation in extracurricular activities or access to specific areas of the college's facilities. Disciplinary probation may be for a specified term or for a period which may extend to graduation or award of a degree or certificate or other termination of the student's enrollment in the college.
  - (f) Removal from class. Behavior which has been disruptive to a class to the extent that the continued presence of the student in that class will impair, interrupt, or interfere with the instructor's ability to deliver instruction or other students' ability to obtain instruction, will result in a withdrawal from that class without a re- fund or grade penalty.
  - (g) Disciplinary suspension. Separation of the student from the college for a definite period of time, after which the student is eligible to return. Conditions for readmission may apply. Students who are suspended may be denied access to all or any part of the campus or other facilities for the duration of the period of suspension. There will be no refund of tuition or fees for the quarter in which the action is taken.
  - (h) Expulsion. Permanent separation of the student from the college. Students who are expelled may be permanently denied access to all or any part of the campus or other facilities. The revocation of all rights and privileges of membership in the college community and exclusion from the campus and college-owned or controlled facilities without any possibility of return. There will be no refund of tuition or fees for the quarter in which the action is taken.
    - (i) Not in good standing. A student may be deemed "not in good standing" with the college. If so, the student shall be subject to the following restrictions:
      - (i) Ineligible to hold an office in any student organization recognized by the college or to hold any elected or appointed office of the college.
      - (ii) Ineligible to represent the college to anyone outside the college community in any way, including representing the college at any official function, or any forms of intercollegiate competition or representation.
    - (j) Revocation of admission and/or degree or certificate. Admission to the college or a degree or certificate awarded from the college may be revoked for fraud, misrepresentation, or other violation of college standards in obtaining admission or the degree or certificate, or for other serious violations committed by a student prior to the award of a degree or certificate.
- (2) Disciplinary terms and conditions that may be imposed alone or in conjunction with the

imposition of a disciplinary sanction include, but are not limited to, the following:

- (a) Restitution. A student may be required to make restitution for damage, loss, or injury or for reasonable costs incurred by the college in pursuing an investigation or disciplinary proceeding. This may take the form of appropriate service and/or monetary or material replacement. Failure to make restitution within thirty instructional days or any period set by the SCO, CRO, SCB, or president will result in an administrative hold being placed on the student's registration, which will prevent future enrollment until the restitution is complete.
- (b) Discretionary conditions. Work assignments, essays, service to the college, or other related discretionary assignments.
- (c) Professional evaluation. Referral for drug, alcohol, psychological, or medical evaluation by an appropriately certified or licensed professional may be required. The student may choose the professional within the scope of practice and with the professional credentials as defined by the college. The student will sign all necessary releases to allow the college access to any such evaluation. The student's return to college may be conditioned upon compliance with recommendations set forth in such a professional evaluation. If the evaluation indicates that the student is not capable of functioning within the college community, the student will remain suspended until future evaluation recommends that the student is capable of reentering the college and complying with the rules of conduct.
- (d) No contact order. An order that prohibits direct or indirect physical, verbal, written, and/or any other form of communication or contact with an individual or group. Direct and indirect contact includes, but is not limited to, phone calls, letters, going within sight of places of work or residence, email, social media, etc.

**WAC 132T-100-292 Failure to comply.** A student who fails to complete a sanction within the specified time frame may be charged with the student code of conduct violation, "failure to comply." It is the student's responsibility to notify the student conduct officer if there are mitigating circumstances that prevent the student from completing the sanction(s) by a specified time frame. The student conduct officer may extend the deadline time, at the SCO's discretion. It is the student's responsibility to complete all sanctions within the specified time frame to avoid a hold and/or a charge of "failure to comply."

**WAC 132T-100-295 Disciplinary holds.** A disciplinary hold will be placed on the records and registration of any student who:

- (1) Fails to respond to a disciplinary notice by a judicial body. Any pending disciplinary matters must be resolved prior to reregistration or a student's graduation. No student will be allowed to register, graduate, obtain transcripts, or receive financial aid until the pending disciplinary case is completed;
- (2) Is under an interim suspension from the college. The disciplinary hold will not be removed until the pending disciplinary case is completed;
- (3) Is under suspension from the college. The disciplinary hold will not be removed until the student's suspension status has expired and/or the requirements as set forth by the judicial/appellate body for readmission have been successfully met; or
- (4) Is under expulsion from the college. The disciplinary hold will only be removed, upon written request, for a student to obtain their transcript.

**WAC 132T-100-300 Interim measures.**

- (1) Interim measures may be taken pending an investigation or adjudication if there is cause

to believe that a student or student organization poses an imminent risk of harm to anyone in the college community, or to property, or if the misconduct is so severe, persistent, or pervasive as to substantially disrupt or materially interfere with the college's operations and/or activities or with an individual's education/work activities. Interim measures may include counseling, extensions of time or other course related adjustments, modifications of class schedules, campus escort services, restrictions on contact between the parties, increased security and monitoring of certain areas of campus, restrictions on access to college-owned or operated property and/or events (notice of trespass), including classes, activities, and privileges, or any similar measures while the conduct process is pending.

- (2) The student must adhere to the conditions of the interim restriction. If an interim restriction includes campus wide restricted access, the SCO may provide written permission for the student to enter campus for specific purposes such as meeting with the SCO or designee, faculty, staff, or witnesses to prepare for an appeal, or to participate in the student conduct process.
- (3) Notice of interim measure. The student will be provided writ-ten notice of the interim measure(s), stating:
  - (a) The time, date, place, and nature of the circumstances which created the need for interim measures.
  - (b) A description of any relevant evidence.
  - (c) The interim measure.
  - (d) The possible sanctions that could result from violation of the interim measure including arrest for criminal trespass if the student has been trespassed from campus.
  - (e) The student's right to either accept the interim measure or submit a written appeal of the interim measure within three instructional days to the CRO. An appeal is waived if not submitted within the prescribed time. If the student timely appeals, the interim measure shall remain in place during the appeal process. The CRO will pro- vide written notification to the student of the decision to either maintain or discontinue the interim measure within five instructional days of receipt of the appeal.
  - (f) If the student has been trespassed from the campus, a notice against trespass shall be included that warns the student that their privilege to enter into or remain on college premises has been with- drawn, that they shall be considered trespassing and subject to arrest for criminal trespass if they enter the college campus other than to meet with the SCO as arranged by an appointment, or to attend a disciplinary hearing. The interim measure shall not replace the regular discipline process, which shall proceed as quickly as feasible in light of the interim restriction.

**WAC 132T-100-350 Summary suspension.** Summary suspension is a temporary exclusion from specified college premises or denial of access to all activities or privileges for which a respondent might otherwise be eligible, while an investigation and/or formal disciplinary procedures are pending. The student conduct officer may impose a summary suspension if there is probable cause to believe that the respondent has violated any provision of the student code of conduct; presents an immediate danger to the health, safety, or welfare of members of the college community; or poses an ongoing threat of substantial disruption of, or interference with, the operations of the college.

Notice. Any respondent who has been summarily suspended shall be served with oral or written notice of the summary suspension. If oral notice is given, a written notification shall be served on

the respondent within two business days of the oral notice. The written notification shall be entitled "notice of summary suspension" and shall include the reasons for imposing the summary suspension, including a description of the conduct giving rise to the summary suspension and reference to the provisions of the student code of conduct or the law allegedly violated; the date, time, and location when the respondent must appear before the conduct review officer for a hearing on the summary suspension; and the conditions, if any, under which the respondent may physically access the campus or communicate with members of the campus community. If the respondent has been trespassed from the campus, a notice against trespass shall be included warning respondent that their privilege to enter into or remain on college premises has been withdrawn, and that the respondent shall be considered trespassing and subject to arrest for criminal trespass if they enter the college campus other than to meet with the student conduct officer or conduct review officer, or to attend a disciplinary hearing.

Hearing. The conduct review officer shall conduct a hearing on the summary suspension as soon as practicable after imposition of the summary suspension. During the summary suspension hearing, the issue before the conduct review officer is whether there is probable cause to believe that the summary suspension should be continued pending the conclusion of disciplinary proceedings and/or whether the summary suspension should be less restrictive in scope. The respondent shall be afforded an opportunity to explain why summary suspension should not be continued while disciplinary proceedings are pending or why the summary suspension should be less restrictive in scope. If the respondent fails to appear at the designated hearing time, the conduct review officer may order that the summary suspension remain in place pending the conclusion of the disciplinary proceedings. As soon as practicable following the hearing, the conduct review officer shall issue a written decision which shall include a brief explanation for any decision continuing and/or modifying the summary suspension and notice of any right to appeal. To the extent permissible under applicable law, the conduct review officer shall provide a copy of the decision to all persons or offices who may be bound or protected by it.

Sexual misconduct. In cases involving allegations of sexual misconduct, the complainant shall be notified that a summary suspension has been imposed on the same day that the summary suspension notice is served on the respondent. The college will also provide the complainant with timely notice of any subsequent changes to the summary suspension order.

#### **WAC 132T-100-400 Records of disciplinary action.**

- (1) Records of all disciplinary actions will become part of the student's disciplinary record and kept by the office of the SCO. Disciplinary records are "education records" as defined by FERPA and shall be maintained and disclosed consistent with FERPA and the college's educational records retention policies. All documentation of the student conduct proceedings will be preserved for at least seven years, except in disciplinary actions where no violation(s) of the student code of conduct was found. In such cases, only a record of the finding of no violation shall be maintained in the student's file or other college repository after the date of the student's graduation or award of a degree or certificate or for one calendar year, whichever is shorter. All records of expulsion will be kept for twenty-five years from the date of the decision.
- (2) The office of the SCO will keep accurate records of all disciplinary actions taken by that office. Such records will be placed in the student's disciplinary records. A student has a disciplinary record only after notification of a decision is made and the student is found responsible for a violation of the student code of conduct. A case that is currently under investigation or is classified as "documentation only" is not a disciplinary record.

- (3) The Family Educational Rights and Privacy Act (FERPA) provides that an educational institution may notify a student's parent or legal guardian if the student is under the age of twenty-one and has violated a federal, state, or local law involving the use or possession of alcohol or a controlled substance.

## ARTICLE V

### SUPPLEMENTAL TITLE IX STUDENT CONDUCT PROCEDURES

**WAC 132T-100-500 Order of precedence.** This supplemental procedure applies to allegations of sexual harassment subject to Title IX jurisdiction pursuant to regulations promulgated by the United States Department of Education. See 34 C.F.R. Part 106. To the extent these supplemental hearing procedures conflict with the college's standard disciplinary procedures, WAC 132T-100-200 through 132T-100-290, these supplemental procedures shall take precedence.

**WAC 132T-100-510 Prohibited conduct under Title IX.** Pursuant to RCW 28B.50.140(13) and Title IX of the Education Amendments Act of 1972, 20 U.S.C. Sec. 1681, the college may impose disciplinary sanctions against a student who commits, attempts to commit, or aids, abets, incites, encourages, or assists another person to commit, an act(s) of "sexual harassment."

For purposes of this supplemental procedure, "sexual harassment" encompasses the following conduct:

- (1) **Quid pro quo harassment.** A college employee conditioning the provision of an aid, benefit, or service of the college on an individual's participation in unwelcome sexual conduct.
- (2) **Hostile environment.** Unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the college's educational programs or activities, or employment.
- (3) **Sexual assault.** Sexual assault includes the following conduct:
  - (a) **Nonconsensual sexual intercourse.** Any actual or attempted sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.
  - (b) **Nonconsensual sexual contact.** Any actual or attempted sexual touching, however slight, with any body part or object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.
  - (c) **Incest.** Sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of eighteen.
  - (d) **Statutory rape.** Consensual sexual intercourse between someone who is eighteen years of age or older and someone who is under the age of sixteen.
- (4) **Domestic violence.** Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Washington, 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 state of Washington, RCW 26.50.010.

- (5) Dating violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person:
  - (a) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - (b) Where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - (i) The length of the relationship;
    - (ii) The type of relationship; and
    - (iii) The frequency of interaction between the persons involved in the relationship.
- (6) Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

**WAC 132T-100-520 Title IX jurisdiction.**

- (1) This supplemental procedure applies only if the alleged misconduct:
  - (a) Occurred in the United States;
  - (b) Occurred during a college educational program or activity; and
  - (c) Meets the definition of sexual harassment as that term is defined in this supplemental procedure.
- (2) For purposes of this supplemental procedure, an "educational program or activity" is defined as locations, events, or circumstances over which the college exercised substantial control over both the respondent and the context in which the alleged sexual harassment occurred. This definition includes any building owned or controlled by a student organization that is officially recognized by the college.
- (3) Proceedings under this supplemental procedure must be dismissed if the decision maker determines that one or all of the requirements of subsection (1)(a) through (c) of this section have not been met. Dismissal under this supplemental procedure does not prohibit the college from pursuing other disciplinary action based on allegations that the respondent violated other provisions of the student conduct code.
- (4) If the Title IX coordinator determines the facts in the investigation report are not sufficient to support Title IX jurisdiction and/or pursuit of a Title IX violation, the Title IX coordinator will issue a notice of dismissal in whole or part to both parties explaining why some or all of the Title IX claims have been dismissed.

**WAC 132T-100-530 Initiation of discipline.**

- (1) Upon receiving the Title IX investigation report from the Title IX coordinator, the student conduct officer will independently review the report to determine whether there are sufficient grounds to pursue a disciplinary action against the respondent for engaging in prohibited conduct under Title IX.
- (2) If the student conduct officer determines that there are sufficient grounds to proceed under these supplemental procedures, the student conduct officer will initiate a Title IX disciplinary proceeding by filing a written disciplinary notice with the chair of the student conduct committee and serving the notice on the respondent and the complainant, and their respective advisors. The notice must:
  - (a) Set forth the basis for Title IX jurisdiction;
  - (b) Identify the alleged Title IX violation(s);



- (c) Set forth the facts underlying the allegation(s);
  - (d) Identify the range of possible sanctions that may be imposed if the respondent is found responsible for the alleged violation(s);
  - (e) Explain that the parties are entitled to be accompanied by their chosen advisors during the hearing and that:
    - (i) The advisors will be responsible for questioning all witnesses on the party's behalf;
    - (ii) An advisor may be an attorney; and
    - (iii) WWCC will appoint the party an advisor of the college's choosing at no cost to the party, if the party fails to do so.
- (3) Explain that if a party fails to appear at the hearing, a decision of responsibility may be made in their absence.

**WAC 132T-100-540 Prehearing procedure.**

- (1) Upon receiving the disciplinary notice, the chair of the student conduct committee will send a hearing notice to all parties, in compliance with WAC 132T-100-210 (2)(b). In no event will the hearing date be set less than ten days after the Title IX coordinator provided the final investigation report to the parties.
- (2) A party may choose to have an attorney serve as their advisor at the party's own expense. This right will be waived unless, at least five days before the hearing, the attorney files a notice of appearance with the committee chair with copies to all parties and the student conduct officer.
- (3) In preparation for the hearing, the parties will have equal access to all evidence gathered by the investigator during the investigation, regardless of whether the college intends to offer the evidence at the hearing.

**WAC 132T-100-550 Rights of parties.**

- (1) WWCC's student conduct procedures and this supplemental procedure shall apply equally to all parties.
- (2) The college bears the burden of offering and presenting sufficient testimony and evidence to establish that the respondent is responsible for a Title IX violation by a preponderance of the evidence.
- (3) The respondent will be presumed not responsible until such time as the disciplinary process has been finally resolved.
- (4) During the hearing, each party shall be represented by an advisor. The parties are entitled to an advisor of their own choosing and the advisor may be an attorney. If a party does not choose an advisor, then the Title IX coordinator will appoint an advisor of their choosing on the party's behalf at no expense to the party.

**WAC 132T-100-560 Evidence.** The introduction and consideration of evidence during the hearing is subject to the following procedures and restrictions:

- (1) **Relevance:** The SCC chair shall review all questions for relevance and shall explain on the record their reasons for excluding any question based on lack of relevance.
- (2) Relevance means that information elicited by the question makes facts in dispute more or less likely to be true.
- (3) Questions or evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant and must be excluded, unless such question or evidence:
  - (a) Is asked or offered to prove someone other than the respondent committed the alleged misconduct; or

- (b) Concerns specific incidents of prior sexual behavior between the complainant and the respondent, which are asked or offered on the issue of consent.
- (4) Cross-examination required: If a party or witness does not submit to cross-examination during the live hearing, the SCC must not rely on any statement by that party or witness in reaching a determination of responsibility.
- (5) No negative inference: The SCC may not make an inference regarding responsibility solely on a witness's or party's absence from the hearing or refusal to answer questions.
- (6) Privileged evidence: The SCC shall not consider legally privileged information unless the holder has effectively waived the privilege. Privileged information includes, but is not limited to, information protected by the following:
  - (a) Spousal/domestic partner privilege;
  - (b) Attorney-client and attorney work product privileges;
  - (c) Privileges applicable to members of the clergy and priests;
  - (d) Privileges applicable to medical providers, mental healththerapists, and counselors;
  - (e) Privileges applicable to sexual assault and domestic violenceadvocates; and
  - (f) Other legal privileges identified in RCW 5.60.060.

**WAC 132T-100-570 Initial order.**

- (1) The student conduct commit-tee will be responsible for conferring and drafting an initial order that:
  - (a) Identifies the allegations of sexual harassment;
  - (b) Describes the grievance and disciplinary procedures, startingwith filing of the formal complaint through the determination of responsibility, including notices to parties, interviews with witnesses and parties, site visits, methods used to gather evidence, and hearings held;
  - (c) Makes findings of fact supporting the determination of responsibility;
  - (d) Reaches conclusions as to whether the facts establish whetherthe respondent is responsible for engaging in sexual harassment in violation of Title IX;
  - (e) Contains a statement of, and rationale for, the SCC's determination of responsibility for each allegation;
  - (f) Describes any disciplinary sanction or conditions imposed against the respondent, if any;
  - (g) Describes to what extent, if any, complainant is entitled to remedies designed to restore or preserve complainant's equal access tothe college's educational programs or activities; and
  - (h) Describes the process for appealing the initial order.
- (2) The SCC chair will serve the initial order on the parties simultaneously.

**WAC 132T-100-580 Appeals.**

- (1) The parties shall have the right to appeal from the initial order's determination of responsibility and/or dismissal of an allegation(s) of sexual harassment in a formal complaint. The right to appeal will be subject to the same procedures and time frames set forth in WAC 132T-100-220.
- (2) The president shall serve the final decision on the parties simultaneously.

# Appendix J- Title IX Employee Administrative Procedure 5640

## WALLA WALLA COMMUNITY COLLEGE

### TITLE IX EMPLOYEE SUPPLEMENTAL DISCIPLINARY HEARING ADMINISTRATIVE PROCEDURE 5640

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#### I. Order of Precedence

This supplemental employee discipline procedure applies to allegations of Sexual Harassment subject to Title IX jurisdiction pursuant to regulations promulgated by the United States Department of Education. *See* 34 C.F.R. § 106. Disciplinary proceedings against an employee respondent alleged to have engaged in sexual harassment in violation of Title IX shall be governed by Policy 2020 and this supplemental hearing procedure. To the extent the supplemental hearing procedure conflicts with provisions set forth in employment contracts, collective bargaining agreements, employee handbooks, and other employment policies and procedures, this supplemental hearing procedure will take precedence.

Notwithstanding the foregoing, if Respondent is a tenured or probationary faculty member and the President determines that the allegations in the investigation, if true, would warrant Respondent's dismissal from the College, the President will refer the matter to the Tenure Dismissal Committee for a hearing pursuant to RCW 28B.50.863 and applicable procedures set forth in the faculty union Collective Bargaining Agreement (CBA). To the extent the Tenure Dismissal Committee procedures are inconsistent or in conflict with Sections II through VII of this Supplemental Procedure, those Supplemental Procedure sections will prevail. At the end of the hearing, the Tenure Dismissal Committee will issue a Recommendation consistent with the provisions set forth in Section VIII. Claimant shall have the same right to appear and participate in the proceedings as the Respondent, including the right to present their position on the Recommendation to the Board of Trustees before final action is taken.

#### II. Prohibited Conduct Under Title IX

Pursuant to Title IX of the Education Act Amendments of 1972, 20 U.S.C. §1681, the college may impose disciplinary sanctions against an employee who commits, attempts to commit, or aids, abets, incites, encourages, or assists another person to commit, an act(s) of "sexual harassment."

For purposes of this supplemental procedure, "Sexual Harassment" encompasses the following conduct:

- A. Quid pro quo harassment. A college employee conditioning the provision of an aid, benefit, or service of the college on an individual's participation in unwelcome sexual conduct.
- B. Hostile environment. Unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the colleges educational programs or activities, or employment.
- C. Sexual assault. Sexual assault includes the following conduct:
  1. Nonconsensual sexual intercourse. Any actual or attempted sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a person upon another person, that is without consent and/or by force. Sexual intercourse

- includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.
2. Nonconsensual sexual contact. Any actual or attempted sexual touching, however slight, with any body part or object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.
  3. Incest. Sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of eighteen (18).
  4. Statutory rape. Consensual sexual intercourse between someone who is eighteen (18) years of age or older and someone who is under the age of sixteen (16).
- D. Domestic violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Washington, 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 State of Washington, RCW 26.50.010.
- E. Dating violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors:
1. The length of the relationship;
  2. The type of relationship; and
  3. The frequency of interaction between the persons involved in the relationship.
- F. Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

### **III. Title IX Jurisdiction**

- A. This supplemental procedure applies only if the alleged misconduct:
  1. Occurred in the United States;
  2. Occurred during a college educational program or activity; and
  3. Meets the definition of Sexual Harassment as that term is defined in this supplemental procedure.
- B. For purposes of this supplemental procedure, an "educational program or activity" is defined as locations, events, or circumstances over which the college exercised substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurred. This definition includes any building owned or controlled by a student organization that is officially recognized by the college.
- C. Proceedings under this supplemental procedure must be dismissed if the President

determines that one or all of the requirements of Section A (1)-(3) have not been met. Dismissal under this supplemental procedure does not prohibit the college from pursuing disciplinary action against a Respondent based on allegations that the Respondent engaged in other misconduct prohibited by federal or state law, employment contracts or handbooks, or other college policies.

- D. If the President determines the facts in the investigation report are not sufficient to support Title IX jurisdiction and/or pursuit of a Title IX violation, the President will issue a notice of dismissal in whole or part to both parties explaining why some or all of the Title IX claims have been dismissed.

#### **IV. Initiation of Discipline**

- A. Upon receiving the Title IX investigation report from the Title IX Coordinator, the President will independently review the report to determine whether there are sufficient grounds to pursue a disciplinary action against the Respondent for engaging in prohibited conduct under Title IX.
- B. If the President determines that there are sufficient grounds to proceed under these supplemental procedures, the President will initiate a Title IX disciplinary proceeding by filing a written disciplinary notice with the Dismissal Review Committee (for faculty) or Title IX Review Committee (for all other employees) and by serving the notice on the Respondent and the Claimant, and their respective advisors. The notice must:
  - 1. Set forth the basis for Title IX jurisdiction;
  - 2. Identify the alleged Title IX violation(s);
  - 3. Set forth the facts underlying the allegation(s);
  - 4. Identify the range of possible sanctions that may be imposed if the Respondent is found responsible for the alleged violation(s);
  - 5. Explain that each Party is entitled to be accompanied by an Advisor of their own choosing during the hearing and that:
    - a. Advisors will be responsible for questioning all witnesses on the Party's behalf;
    - b. An Advisor may be an attorney and/or, if the Party is a represented employee, a union representative;
    - c. A represented employee who chooses an Advisor who is not a union representative must submit a signed waiver of union representation that includes consent from the union; and
    - d. The Title IX Coordinator will appoint the Party an Advisor of the college's choosing at no cost to the Party, if the Party fails to choose an Advisor; and
  - 6. Explain that if a Party fails to appear at the hearing, a decision of responsibility may be made in the Party's absence.
- C. Service of the disciplinary notice or any other document required to be served under this supplemental procedure may be done personally or by first class, registered, or certified mail, or by electronic mail to the Party's college email address.

#### **V. Pre-Hearing Procedure**

- A. Upon receiving the disciplinary notice, the Dismissal Review Committee (for faculty) or Title IX Review Committee (for all other employees) will send a hearing notice to all parties in compliance with WAC 10-08-040. Pursuant to Title IX Grievance Procedure Policy 2020, the hearing date may not be scheduled less than ten (10) days after the Title IX Coordinator provided the Final Investigation Report to the Parties.

- B. A Party is entitled to be accompanied by an Advisor of their choice during the disciplinary process at the party's own expense. The Advisor may be an attorney and/or, if the Party is a represented employee, a union representative.
  - 1. If the Advisor is an attorney, the Advisor must file a notice of appearance with the Dismissal Review Committee (for faculty) or Title IX Review Committee (for all other employees) with copies to all parties and the President at least five (5) days before the hearing. If a notice of appearance is not filed within this timeframe, the Party will be deemed to have waived their right to have an attorney as an Advisor.
  - 2. If a Party is a represented employee who chooses not to use a union-provided Advisor, the Party must provide the Dismissal Review Committee (for faculty) or Title IX Review Committee (for all other employees) with a signed waiver of union representation, including written consent from the union.
- C. In preparation for the hearing, the Parties will have equal access to all evidence gathered by the investigator during the investigation, regardless of whether the college intends to offer the evidence at the hearing.

## **VI. Rights of Parties**

- A. The provisions of this supplemental procedure shall apply equally to both parties.
- B. The college bears the burden of offering and presenting sufficient testimony and evidence to establish that the Respondent is responsible for a Title IX violation by a preponderance of the evidence.
- C. The Respondent will be presumed not responsible until such time as the disciplinary process has been finally resolved.
- D. During the hearing, each Party shall be represented by an Advisor. The Parties are entitled to an Advisor of their own choosing and the Advisor may be an attorney or, if the Respondent holds a represented position, a union representative. If a party does not choose an Advisor, then the Title IX Coordinator will appoint an Advisor of the college's choosing on the Party's behalf at no expense to the Party.

## **VII. Evidence**

The introduction and consideration of evidence during the hearing is subject to the following procedures and restrictions:

- A. Relevance: The Committee Chair shall review all questions for relevance and shall explain on the record their reasons for excluding any question based on lack of relevance.
- B. Relevance means that information elicited by the question makes a fact in dispute more or less likely to be true.
- C. Questions or evidence about a Claimant's sexual predisposition or prior sexual behavior are not relevant and must be excluded, unless such question or evidence:
  - 1. Is asked or offered to prove someone other than the Respondent committed the alleged misconduct; or
  - 2. Concerns specific incidents of prior sexual behavior between the Claimant and the Respondent, which are asked or offered on the issue of consent.
- D. Cross-examination required: If a Party or witness does not submit to cross-examination during the live hearing, the Committee must not rely on any statement by that Party or witness in reaching a determination of responsibility.

- E. No negative inference: The Committee may not make an inference regarding responsibility solely on a witness's or party's absence from the hearing or refusal to answer questions.
- F. Privileged evidence: The Committee shall not consider legally privileged information unless the holder has effectively waived the privilege. Privileged information includes, but is not limited to, information protected by the following:
  - 1. Spousal/domestic partner privilege;
  - 2. Attorney-Client and attorney work product privileges;
  - 3. Privileges applicable to members of the clergy and priests;
  - 4. Privileges applicable to medical providers, mental health therapists, and counselors;
  - 5. Privileges applicable to sexual assault and domestic violence advocates; and
  - 6. Other legal privileges identified in RCW 5.60.060.

### **VIII. Initial Order**

- A. The Committee will be responsible for drafting an Initial Order that:
  - 1. Identifies the allegations of sexual harassment;
  - 2. Describes the grievance and disciplinary procedures, starting with filing of the formal claim through the determination of responsibility, including notices to parties, interviews with witnesses and parties, site visits, methods used to gather evidence, and hearings held;
  - 3. Makes findings of fact supporting the determination of responsibility;
  - 4. Reaches conclusions as to whether the facts establish whether the Respondent is responsible for engaging in Sexual Harassment in violation of Title IX;
  - 5. Contains a statement of, and rationale for, the Committee's determination of responsibility for each allegation;
  - 6. Describes any disciplinary sanction or conditions imposed against the Respondent, if any;
  - 7. Describes to what extent, if any, Claimant is entitled to remedies designed to restore or preserve Claimant's equal access to the college's education programs or activities; and
  - 8. Describes the process for appealing the Initial Order to the President.
- B. The Committee will serve the Initial Order on the Parties simultaneously.

### **IX. Appeals**

- A. The Parties have the right to appeal from the determination of responsibility and/or from a Title IX dismissal, in whole or part, of a formal claim, as set forth in the Initial Order. A party may appeal by filing a written notice of appeal with President within ten (10) days of service of the Committee's decision. Failure to timely file a notice of appeal constitutes a waiver of the right to appeal and the Committee's decision shall be deemed final.
- B. The request for appeal must include a brief statement explaining the grounds for the appeal or why the party is seeking review. Disagreement with the finding and/or with the sanctions does not, by itself, represent grounds for appeals. Decisions may be appealed for one or more of the following: (a) To determine whether there was a procedural error that substantially affected the outcome of the finding or sanctioning. Deviation from designated procedures is not a basis for sustaining an appeal unless significant prejudice results. (b) To determine whether the sanction(s) imposed were appropriate and not excessively lenient

or excessively severe for the violation for which the employee was found responsible. (c) To consider new information, sufficient to alter a decision, or other relevant facts not brought during fact finding, because such information and/or facts were not known, and the employee bringing the appeal had no duty to discover or could not have reasonably discovered facts giving rise to the issues during investigation or fact-finding. The notice of appeal must include a brief statement explaining why the party is seeking review.

B. The President or the President’s delegate will determine whether the grounds for appeal have merit, provide the rationale for this conclusion, and state whether the disciplinary sanctions and conditions imposed in the Initial Order are affirmed, vacated, or amended, and, if amended, set forth the new disciplinary sanctions and conditions.

C. The President shall serve the Final Decision on the parties simultaneously.

D. All decisions reached through this process are final. No decisions or recommendations arising from this disciplinary procedure will be subject to grievance pursuant to any Collective Bargaining Agreement.

<b>Policy Contact:</b> <u>VP of Human Resources</u>
<b>Approved by (Department/Body):</b> <u>Dr. Chad Hickox, President</u>
<b>Date Originally Approved:</b> <u>November 1, 2020</u>
<b>Last Reviewed/Revised on:</b> _____



# Appendix K- Preparation and Disclosure of the Annual Security Report and Associated Crime Statistics Policy

WALLA WALLA COMMUNITY COLLEGE

## Policy Covering the Preparation and Disclosure of the Annual Security Report and Associated Crime Statistics

**Policy Number: 3540**

### Policy Background/Purpose:

Walla Walla Community College is committed to the safety and security of all members of the college community. As part of that commitment, the Walla Walla Community College Campus Security and Environmental Health and Safety Department publishes the Annual Security Report no later than October 1st of each year. The Annual Security Report includes crime statistics that are required to be reported under the Clery Act.

The crime statistics are broken down into specific geographical areas as outlined in the Clery Act.

### Definitions:

**Annual Security Report** – Is a Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) required report containing safety and security related policy statements and crime statistics that must be distributed to all College students and employees annually. Additionally, all College students and employees must be notified of the location of the Annual Security Report.

**Campus Security Authorities (CSAs)** - Individual employees identified by the College whose specific duties or responsibilities associated with their position qualify them as a CSA under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

**Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)** – Federal statute that requires colleges and universities to disclose campus safety information, crime statistics and summaries of security policies to the public.

**Noncampus Geography** – Clery Act specific term that encompasses two types of buildings and property. Noncampus geography applies to any building or property owned or controlled by officially recognized (or registered) student organizations, and any building or property located off campus but owned or controlled by your institution.

**Title IX** – Federal statute that prohibits sex discrimination in education institutions and legally requires schools to respond to, and remedy, hostile educational environments.

### Authority:

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)

## Title IX

### Scope/Responsibilities:

This policy applies to the Walla Walla Community College campuses in Walla Walla, Washington and in Clarkston, Washington. Walla Walla Community College operates college programs at the Coyote Ridge Correctional Facility in Connell, Washington and at the Washington State Penitentiary in Walla Walla, Washington. Both of these locations are under the control of the Washington State Department of Corrections who has the authority to determine all policies and procedures for these facilities.

### Policy:

The Walla Walla Community College Campus Security and Environmental Health and Safety Department is the designated department responsible for the collection of all crime data and statistics including those that are contained in the Annual Security Report and that are reported annually to the US Department of Education.

1. Campus Security and Environmental Health and Safety maintains incident reports for all criminal activity that are reported directly to the Campus Security and Environmental Health and Safety Department. Each incident is added to a tracking system that is reviewed each year during the preparation of the Annual Security Report. All incidents that meet the geographical requirements under the Clery Act and that are designated as Clery Act crimes are included in the Annual Security Report.
2. Campus Security and Environmental Health and Safety coordinates with the college's Student Conduct Officer on a daily basis to facilitate the exchange of information related to criminal activity/student conduct violations.
3. Campus Security and Environmental Health and Safety coordinates with the college Title IX Coordinator on a daily basis to facilitate the exchange of information related to criminal activity/Title IX violations.
4. Campus Security and Environmental Health and Safety provides email notifications to all Campus Security Authorities (CSAs) during the first two weeks and during the last week of each quarter with details regarding the reporting responsibilities of a CSA. Campus Security and Environmental Health and Safety also maintains an online CSA reporting form that once submitted, goes directly to the Executive Director of Campus Security and Environmental Health and Safety.
5. Campus Security and Environmental Health and Safety maintains an online form that must be submitted following any overnight travel involving students and that is sponsored by the College. Campus Security and Environmental Health and Safety enters each report into a master-tracking log. In January of each year, Campus Security and Environmental Health and Safety will evaluate each individual location listed on the previous year's log. Each location that is determined to meet the repeated or frequent use criteria outlined in the Clery Act will be flagged. A certified letter will be mailed to the law enforcement agency with jurisdiction over that address requesting relevant crime statistics as outlined in the Clery Act.
6. Campus Security and Environmental Health and Safety coordinates with each college department to develop and maintain a list of all locations utilized by the college that would meet the definition of a non-campus location under the Clery Act. A certified letter will be mailed to the law enforcement agency with jurisdiction over that address requesting relevant crime statistics as outlined in the Clery Act.
7. Campus Security and Environmental Health and Safety maintains an open line of communication with both the Walla Walla Police Department and the Clarkston, Washington Police Department who have primary law enforcement jurisdiction for their

respective campuses. In addition, Campus Security and Environmental Health and Safety sends out a certified letter to each agency every January requesting crime data for all on-campus and public property crimes for the previous year.

Campus Security and Environmental Health and Safety compiles crime data from each of the sources listed above in the preparation and submission of the Annual Security Report and for reporting to the US Department of Education. The Annual Security Report is published no later than October 1<sup>st</sup> of each year.

**Referenced Policies/Procedures: N/A**

<p><b>Policy Contact:</b> Vice President of Administrative Services</p> <p><b>Approved by:</b> Dr. Derek Brandes, President</p> <p><b>Date Originally Approved:</b> 3/13/18</p> <p><b>Last Reviewed/Revised on:</b> _____</p>
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# Appendix L - Emergency and Crime Reporting Policy

WALLA WALLA COMMUNITY COLLEGE  
**Emergency and Crime Reporting Policy**  
**Policy Number: 3510**

## Policy Background/Purpose

Walla Walla Community College is committed to the safety and security of all members of the college community. As part of this commitment, Walla Walla Community College encourages the prompt reporting of all criminal activity and emergency situations. Walla Walla Community College has implemented the following procedure that outlines various reporting options, which reporting options are confidential, which reporting options are not confidential, and when reporting becomes mandatory.

## Definitions

Campus Security Authorities (CSAs) - Individual employees identified by the College whose specific duties or responsibilities associated with their position qualify them as a CSA under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) – Federal statute that requires colleges and universities to disclose campus safety information, crime statistics and summaries of security policies to the public.

Title IX – Federal statute that prohibits sex discrimination in educational institutions and legally requires schools to respond to, and remedy, hostile educational environments.

Timely Warning – Clery Act reporting requirement that states that Walla Walla Community College at a minimum must notify the campus community in a timely manner when a Clery Act crime has been committed in a Clery Act geographically designated area and is determined, by Walla Walla Community College, to represent a serious or continuing threat to students and employees. A Timely Warning may also be issued for crimes not specifically covered under the Clery Act at the discretion of the college.

## Authority

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)

Title IX

## Scope/Responsibilities

This policy applies to the Walla Walla Community College campuses in Walla Walla, Washington and in Clarkston, Washington. Walla Walla Community College operates college programs at the Coyote Ridge Correctional Facility in Connell, Washington and at the Washington State Penitentiary in Walla Walla, Washington. Both of these locations are under the control of the Washington State Department of Corrections who has the authority to determine all policies and procedures for these facilities.

## Policy

Walla Walla Community College utilizes the following procedures related to the reporting of criminal activity and other emergency situations on campus. In the event that there is an imminent threat to the safety and security of an individual or the college as a whole, any incident may be reported directly to local law enforcement and then to the Campus Security and Environmental Health and Safety Department.

1. Campus Security and Environmental Health and Safety is the primary reporting location for all criminal activity and emergency situations on campus. Reporting can be accomplished by the following means:
  - a. In person Monday-Friday between 7:30am and 4:30pm at the Campus Security and Environmental Health and Safety office which is located on the Walla Walla Campus in Building D. This reporting option has limited options for confidentiality.
  - b. Via email by sending an email to [campussafety@wwcc.edu](mailto:campussafety@wwcc.edu). This email address is monitored 24 hours per day, 7 days per week.
  - c. By calling the Campus Security and Environmental Health and Safety office Monday-Friday between 7:30am and 4:30pm at 509-526-SAFE (7233).
  - d. Crime reports and incident reports submitted to Campus Security and Environmental Health and Safety are covered under state and federal law and are subject to public record requirements.
2. Reporting can also be accomplished by contacting the following individuals, positions or departments.
  - a. Campus Security Authorities (CSAs) are individual employees of Walla Walla Community College who have been designated as CSAs because of specific duties or responsibilities associated with their position. A list of current CSAs is maintained on the Campus Safety and Security webpage. CSAs are required to forward all reports they receive in their role as a CSA to Campus Security and Environmental Health and Safety. Confidentiality may be maintained but it will limit any further action by Walla Walla Community College.
  - b. Professional counselors are available at both the Walla Walla and the Clarkston Campuses. Reports received by counselors are considered to be confidential in most cases. Counselors are encouraged to remind victims of crime that confidential reporting should also be made to Campus Security and Environmental Health and Safety solely to aid in the collection of crime statistics and to help make the determination if a Timely Warning should be issued based on a continued threat to the college.
  - c. Title IX Coordinators - Any individual who believes that they may be the victim of any violation of Title IX to include sexual harassment and or sexual assault may report the incident to the Title IX Coordinator. The Walla Walla Community College Title IX Coordinator for employees is the Vice President of Human Resources. The Title IX Coordinator for students is the Vice President of Student Affairs.

Note: Any incident that has the potential to cause an immediate or continued threat to the College Community should be reported directly to Campus Security and Environmental Health and Safety in order to facilitate the possible issuance of a Timely Warning as required by the Clery Act.

**Referenced Policies/Procedures: N/A**

**Policy Contact:** Vice President of Administrative Services

**Approved by:** Dr. Derek Brandes, President

**Date Originally Approved:** 3/13/2018

**Last Reviewed/Revised on:**

# Appendix M - Security and Access to Campus Facilities

WALLA WALLA COMMUNITY COLLEGE

## Emergency Notification Policy Number: 3530

### Policy Background/Purpose

Walla Walla Community College is committed to the safety and security of all members of the college community. In order to provide timely and accurate notifications to the college community, Walla Walla Community College has implemented the following policy regarding emergency notifications.

### Definitions

Emergency Action Plan (EAP) – A plan required by Washington Industrial Safety and Health Act of 1973 to facilitate and organize the College’s response to a variety of emergency situations.

### Authority

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)

### Scope/Responsibilities

This policy applies to the Walla Walla Community College campuses in Walla Walla, Washington and in Clarkston, Washington. Walla Walla Community College operates college programs at the Coyote Ridge Correctional Facility in Connell, Washington and at the Washington State Penitentiary in Walla Walla, Washington. Both of these locations are under the control of the Washington State Department of Corrections who has the authority to determine all policies and procedures for these facilities.

### Policy

Walla Walla Community College utilizes the following procedures to provide emergency notifications regarding events or incidents on or in the vicinity of the campus to include: active shooters, campus lockdowns, campus evacuations, viral outbreaks, natural or man-made disasters or any incident that may threaten the safety and security of the college community.

1. Campus Security and Environmental Health and Safety is the primary department tasked with the emergency notification procedure. Secondary responsibility is assigned to the College Technology Services Department and the College Office of Admissions and Registrar.
2. Once the determination has been made by the Executive Director of Campus Security and Environmental Health and Safety that an emergency notification needs to be initiated and if time permits, the Executive Director of Campus Security and Environmental Health and Safety will review the content of the message with the College President and the Vice President of Administrative Services.
3. The notification will be sent out to the College community through the College’s email system, via phone call, and via text message to everyone who has enrolled in the system. The same message will be posted on the College’s website and social media accounts. Walla Walla Community College has the ability to notify specific College campuses through the emergency notification system and will evaluate the specific

- emergency when making the determination on who receives the notification.
4. All emergency notifications will be initiated without delay unless the notification will, in the professional judgement of responsible officials, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate an emergency.
  5. Campus Security and Environmental Health and Safety is responsible for sending out an email reminder within the first five days of each quarter to all current faculty, staff and students explaining the emergency notification system and the process for registering.
  6. Campus Security and Environmental Health and Safety is responsible for communicating the location and contents of the College Emergency Action Plan (EAP) to all faculty, staff and students and for conducting at least one drill annually that tests the emergency notification system in combination with an emergency drill/exercise that is outlined in the College EAP.
  7. In the event that an emergency notification is initiated, Walla Walla Community College will notify the local community through the following steps:
    - a. The College website and social media accounts will be updated.
    - b. The College Public Information Officer will communicate with a pre-determined list of community news organizations who will then release that information via their media outlets.

**Referenced Policies/Procedures: N/A**

<p><b>Policy Contact:</b> Vice President of Administrative Services</p> <p><b>Approved by:</b> Dr. Derek Brandes, President</p> <p><b>Date Originally Approved:</b> 3/6/18</p> <p><b>Last Reviewed/Revised on:</b> _____</p>
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## Appendix N - Security and Access to Campus Facilities

**Walla Walla Community College**  
**Security and Access to Campus Facilities**  
**Policy Number: 3550**

### Policy Background/Purpose

Walla Walla Community College is a public community college and is open to the public based on a schedule determined by College Administration. The schedule is subject to change based on facility usage and may be changed without notice by the Campus Security and Environmental Health and Safety Department if there is a concern related to the safety or security of a member of the college or a potential threat to the college facilities.

### Definitions: N/A

### Authority:

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)

### Scope/Responsibilities

This policy applies to the Walla Walla Community College campuses in Walla Walla, Washington and in Clarkston, Washington. Walla Walla Community College operates college programs at the Coyote Ridge Correctional Facility in Connell, Washington and at the Washington State Penitentiary in Walla Walla, Washington. Both of these locations are under the control of the Washington State Department of Corrections and are exempt from this policy.

### Policy

Walla Walla Community College facilities are locked outside of posted hours of operations. Walla Walla Community College utilizes a standard mechanical key and lock system for all campus facilities. Facility keys are issued by the college Facilities Department once a key request form has been submitted by a college employee and the form has been approved by the Executive Director of Campus Safety and Environmental Health and Safety in compliance with the College's key control procedure.

### Exceptions to this policy:

- Any individual who is on or in a Walla Walla Community College campus facility and is determined by the president or his designee to:
- Be in violation of college policies
- Be engaged in any act that could represent a safety or security concern to the college
- Whose physical presence cannot be linked to any function or mission of the college

- Or whose behavior results in any disruption, change to or cancellation of any college sponsored or approved activity or function may be trespassed from the college. The Walla Walla Community College Campus Security and Environmental Health and Safety Department will document and track all issued trespass warnings. A written trespass form must be completed by the individual authorized by the college to issue the trespass warning and must be submitted to Campus Security and Environmental Health and Safety.

Walla Walla Community College reserves the right to designate specific rooms, building or facilities as a restricted access area. These areas are not open for public access in order to provide for the safety, security, or confidentiality of material, equipment or specific college functions.

**Referenced Policies/Procedures:** N/A

<b>Policy Contact:</b> <u>Vice President of Finance</u>
<b>Approved by:</b> <u>Dr. Chad E. Hickox, President</u>
<b>Date Originally Approved:</b> <u>2/20/2018</u>
<b>Last Reviewed/Revised on:</b> <u>3/26/2021</u>

## Appendix O - Timely Warning Notification Policy

WALLA WALLA COMMUNITY COLLEGE

### Timely Warning Notification

Policy Number: 3520

#### Policy Background/Purpose

Walla Walla Community College is committed to ensuring the safety and security of all members of the college community. In the event that a Clery Act crime has been committed in a Clery Act geographical designated area and is determined, by Walla Walla Community College, to represent a serious or continuing threat to students and employees a Timely Warning will be issued. Walla Walla Community College has implemented the following policy regarding Timely Warnings.

#### Definitions

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) – Federal statute that requires colleges and universities to disclose campus safety information, crime statistics and summaries of security policies to the public.

VAWA – The Violence Against Women Act (VAWA) is a comprehensive legislative package designed to improve criminal justice responses to sexual assault, domestic violence, dating violence, and stalking and to increase the availability of services for victims and survivors.

#### Authority

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)

#### Scope/Responsibilities

This policy applies to the Walla Walla Community College campuses in Walla Walla, Washington and in Clarkston, Washington. Walla Walla Community College operates college programs at the Coyote Ridge Correctional Facility in Connell, Washington and at the Washington State Penitentiary in Walla Walla, Washington. Both of these locations are under the control of the Washington State Department of Corrections who has the authority to determine all policies and procedures for these facilities.

#### Policy

Per the Clery Act, Walla Walla Community College will issue a Timely Warning to the college community (1) upon notification that a Clery Act crime has occurred and is determined to pose a serious or continuing threat to WWCC students, employees, and/or visitors and (2) the crime occurred in a Clery Act geographical designated area. This includes any area on campus, in or on non-campus buildings or property owned by WWCC or on public property that is within the campus or immediately adjacent to the campus. A Timely Warning will be issued for the following Clery Act crimes:

- Criminal offenses
  - Murder and Non-negligent manslaughter, Manslaughter by negligence, Sexual Assault, Rape, Statutory Rape, Aggravated Assault, Robbery, Motor Vehicle Theft, Incest, Arson, Fondling, and Burglary
- Hate crimes
  - Larceny-Theft, Simple Assault, Intimidation, Destruction/Damage/Vandalism of Property
- VAWA offenses
  - Domestic Violence, Stalking, Dating Violence
- Arrests and referrals for disciplinary action
  - Weapon Law violations, Liquor Law violations, Drug Abuse violations

The decision to issue a Timely Warning will be made by the President, Vice President of Administrative Services or the Executive Director of Campus Security and Environmental Health and Safety; in coordination with the Public Information Officer. The notification will be sent out through the college's email system, the college's emergency notification system and will also be posted on the Campus Security and Environmental Health and Safety Department's webpage. The Walla Walla Community College Campus Security and Environmental Health and Safety Department maintains close communication with the Walla Walla, WA and Clarkston, WA Police Departments to aid in the notification and communication of an event or situation that may necessitate the issuing of a Timely Warning. A Timely Warning may be issued for any other incident or crime as deemed necessary or appropriate.

**Referenced Policies/Procedures:** N/A

**Policy Contact:** Vice President of Administrative Services  
**Approved by:**  
**Date Originally Approved:** 4/30/2016  
**Last Reviewed/Revised on:**

## Appendix P- Security considerations used in the maintenance of campus facilities

WALLA WALLA COMMUNITY COLLEGE

### Security Considerations Used in the Maintenance of Campus Facilities Policy Number: 3560

#### Policy Background/Purpose

Walla Walla Community College is committed to the safety and security of all members of the college community and for the security of all college facilities. As part of that commitment, Walla Walla Community College implements the following policy related to security considerations used in the maintenance of campus facilities.

#### Definitions: N/A

#### Authority

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)

#### Scope/Responsibilities

This policy applies to the Walla Walla Community College campuses in Walla Walla, Washington and in Clarkston, Washington. Walla Walla Community College operates college programs at the Coyote Ridge Correctional Facility in Connell, Washington and at the Washington State Penitentiary in Walla Walla, Washington. Both of these locations are under the control of the Washington State Department of Corrections who has the authority to determine all policies and procedures for these facilities.

#### Policy

Walla Walla Community College utilizes the following procedures in the monitoring and servicing of campus facilities with regards to safety and security.

1. All facility interior and exterior lighting is continuously monitored by Campus Security and Environmental Health and Safety and by facilities staff to ensure that outages are identified and serviced in a timely manner.
2. Emergency phones are inspected and tested monthly by Campus Security and Environmental Health and Safety staff. Any phones that are non-functioning are reported to the college Technology Services Department for servicing.
3. Campus Security and Environmental Health and Safety completes a bi-annual review of all college facilities with a focus on landscaping and vegetation. A report is submitted to the college Facilities Department with recommendations regarding needs or changes to landscaping and vegetation in order to improve safety and security.
4. Following a report of any safety or security incident on campus, the Campus Security and Environmental Health and Safety Department completes a review of the

location of the incident and determines if any action should be taken to improve or alter the physical space to enhance safety and security. Recommendations are forwarded to the Vice President of Administrative Services.

**Referenced Policies/Procedures:** N/A

**Policy Contact:** Vice President of Administrative Services

**Approved by:** Dr. Derek Brandes, President

**Date Originally Approved:** 2/20/2018

**Last Reviewed/Revised on:**