

Annual Security and Fire Report / Clery Act

Education/Prevention/Awareness

2017-2018

A printed version of this report may be requested by contacting the WSU Health Sciences Spokane Office of Campus Safety and Security at 509-358-7995 or rpsecurity@wsu.edu

Preparation of the Annual Security Report Disclosure of Crime Statistics

In 1990, Congress enacted the Crime Awareness and Campus Security Act of 1990 (Title II of Public Law 101-542), which amended the Higher Education Act of 1965 (HEA). This act required all postsecondary institutions participating in HEA's Title IV student financial assistance programs to disclose campus crime statistics and security information.

The act was amended in 1992, 1998, 2000 and 2008. The 1998 amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of a student who was slain in her dorm room in 1986. It is generally referred to as the Clery Act and is in section 485(f) of the HEA.

On March 7, 2013, the Violence Against Women Reauthorization Act of 2013 (VAWA) (Public Law 113-14) was signed into law. VAWA includes amendments to the Clery Act. These changes require institutions to disclose statistics, policies and programs related to dating violence, domestic violence, sexual assault and stalking, among other changes. Specifically, these changes added or modified requirements related to:

- disclosure of statistics of the number of dating violence, domestic violence, sexual assault and stalking incidents;
- disclosure of statistics of new categories of Hate Crimes;
- implementation by institutions and disclosure of programs to prevent dating violence, domestic violence, sexual assault and stalking,
- disclosure of procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- implementation by institutions and disclosure of procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault and stalking.

Although the HEA is the law that governs the administration of all federal higher education programs, as used in this handbook, HEA refers only to the Clery Act and other safety and security related requirements applicable to institutions under the HEA.

Criminal Offenses and the Violence Against Women’s Act:

Criminal offenses included in this report include the following: criminal homicide; rape and sexual assaults; robbery; aggravated assault; burglary; motor vehicle theft; and arson, as well as arrests and disciplinary referrals for violations of drug, liquor, and weapons laws. Additionally, the Violence Against Women’s Act of 1994 amended the Clery Act to include incidents of dating violence, domestic violence and stalking. For definitions of each of these offenses, please refer to pages 12 to 14.

Hate Crimes:

Hate crimes include any of the above-mentioned offenses against persons and/or property and incidents of larceny-theft, simple assault, intimidation or destruction/damage/vandalism of property in which an individual or group is intentionally targeted because of their actual or perceived, race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability.

COMPARATIVE CRIME STATISTICS

WSU Spokane	On-Campus Total				On-Campus Residences				Non-Campus Property				Public Property		
	15	16	17		15	16	17		15	16	17		15	16	17
Crimes	15	16	17		15	16	17		15	16	17		15	16	17
Murder	0	0	0		0	0	0		0	0	0		0	0	0
Negligent Manslaughter	0	0	0		0	0	0		0	0	0		0	0	0
Rape	0	0	0		0	0	0		0	0	0		0	0	0
Fondling	0	0	0		0	0	0		0	0	0		0	0	0
Incest	0	0	0		0	0	0		0	0	0		0	0	0
Statutory Rape	0	0	0		0	0	0		0	0	0		0	0	0
Robbery	0	0	0		0	0	0		0	0	0		0	0	0
Assault (Aggravated)	0	0	0		0	0	0		0	0	0		0	0	0
Burglary	3	4	4		0	0	0		0	0	0		0	0	0
Motor Vehicle Theft	0	0	1		0	0	0		0	1	0		2	0	1

Arson	0	0	1		0	0	0		0	0	0		0	0	0
Stalking	0	0	0		0	0	0		0	1	0		1	0	0
Domestic Violence	0	1	0		0	0	0		0	0	0		0	1	0
Dating Violence	0	0	0		0	0	0		0	0	0		0	0	0
Alcohol	0	0	0		0	0	0		0	0	0		0	0	0
Drugs	0	0	0		0	0	0		0	0	0		0	0	0
Weapons	0	0	0		0	0	0		0	0	0		0	0	0
Hate Crimes	0	0	0		0	0	0		0	0	0		0	0	0
Unfounded	0	0	0		0	0	0		0	0	0		0	0	0
Referrals															
Alcohol	1	0	0		0	0	0		0	0	0		0	0	0
Drugs	0	0	0		0	0	0		0	0	0		0	0	0
Weapons	0	0	0		0	0	0		0	0	0		0	0	0

WSU Spokane recognizes two non-campus locations as part of its crime statistic reporting responsibilities.

1. WSU College of Nursing Yakima on the Yakima Valley Community College Campus, 1401 West Prash Avenue, Yakima, WA 98902
2. WSU College of Pharmacy Yakima on the Pacific Northwest University Campus, 3110 Inspiration Drive, Yakima, WA 98901 – Caldwell Student Center

REPORTING CRIMES AND OTHER EMERGENCIES

There are various ways for students, faculty, staff, and community members to report crimes, incidents, and other emergencies to appropriate WSU officials. In order to address concerns, it is important to report all crimes and emergencies to WSU Spokane Campus Safety and Security at 509-358-7995 or by dialing 911. This allows for WSU to take action, including issuing a Timely Warning or Emergency Notification, if there is an ongoing threat to the safety of the campus community, or an immediate threat occurring on campus.

All criminal activity, suspicious activity, and other emergencies on campus should be reported directly to the Office of Campus Safety and Security by any member or guest of the WSU Spokane Campus community. For crimes in progress please call 911 first to alert police and then Campus Safety and Security at 509-358-7995 or #40 from a campus phone if there is time.

For all other calls, including non-emergency, suspicious circumstances and persons, complaints and information requests, please call 509-358-7995. An officer is available to take your call 24 hours a day.

All Campus Security Authorities are able to take initial reports of crimes from our campus community, and they will forward the report to the Campus Safety and Security Office or call an officer for response.

Anonymous Reporting:

If you are the victim of a crime and do not wish to pursue action within the Washington State University system or the local criminal justice system, we urge you to consider making a confidential report. With your permission, the Campus Safety and Security Office of the WSU Spokane Campus can file an internal report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while also taking appropriate measures to ensure the future security and safety of yourself and others while on the WSU Spokane Campus.

With such information, the University can better keep accurate records of the number of incidents involving the campus community, determine any discernible pattern of crime with regard to particular location, method, or assailant, and alert the campus community to any potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for this institution.

Blue Light Phones

The WSU Spokane Campus currently has seven Blue Emergency Phone poles within its boundaries. Refer to the campus map for the specific locations. The Emergency Blue poles call Campus Safety and Security and provide two-way communication between the user and the officer. While a phone is active, a blue light on top of the pole flashes in a strobe pattern for identification purposes. Please remain near the pole if at all possible, so that an officer can communicate with you and respond appropriately. Failure to remain near an Emergency Blue pole when in use, or not communicating with the officer via the speakerphone on the pole may delay response efforts of first responders or emergency services.

Elevator Telephones

Emergency telephones are located in the elevators for all buildings with elevators. Simply push the button marked "Emergency Phone" and you will be connected to the elevator service call center. Every telephone call placed by an elevator telephone is responded to by a Campus Safety and Security Officer. If you are stuck, remain calm and stay inside the elevator. Only trained elevator personnel are authorized to remove trapped occupants. No one else should attempt to release them or to force elevator doors open. The elevator telephone is for emergencies ONLY; please refrain from using the telephone unless it is an emergency.

Reporting to Other Campus Security Authorities:

Community members, students, faculty, and staff should promptly report all crimes and other emergencies directly to WSU Spokane Campus Safety and Security at 509-358-7995, or by dialing 911 for crimes in progress. However, we also recognize that some may prefer to report to other individuals or WSU offices/officials.

The Clery Act recognizes certain WSU officials and offices as Campus Security Authorities (CSAs), who are an "official of an institution who has significant responsibility for student and campus activities,

including, but not limited to, student housing, student discipline, and campus judicial disciplinary proceedings.

If such an official of an institution is a pastoral or professional counselor, the official is not considered a campus security authority when acting as a pastoral or professional counselor.”

There are a number of identified CSAs, and WSU Spokane recognizes the following offices as places where campus community members may report incidents and crimes:

- WSU Spokane Campus Safety and Security, Health Education & Research building, 665 N. Riverpoint Blvd., 509-358-7995
- WSU Spokane Student Affairs, Academic Center, 600 N. Riverpoint Blvd., 509-358-7979
- WSU Spokane Counseling Services, Academic Center, 600 N. Riverpoint Blvd., 509-358-7740
- WSU Spokane Human Resources, Academic Center, 600 N. Riverpoint Blvd., 509-358-7566
- College of Medicine Office of Student Affairs, Academic Center, 600 N. Riverpoint Blvd. 4th floor, 509-368-6827 or 509-368-6872
- College of Pharmacy Student Affairs, Pharmaceutical Science Building, 205 E. Spokane Falls Blvd. Suite 130, 509-358-7730 or 509-358-6694
- College of Nursing Undergraduate Student Services, Nursing Building, 103 E. Spokane Falls Blvd. 509-324-7360

The mailing address for these offices is: P.O. Box 1495, Spokane, WA 99210.

About the Washington State University Spokane Campus Safety and Security Department

WSU’s Commitment to Safety

WSU Spokane’s Office of Campus Safety and Security is dedicated to maintaining a safe environment by providing its services to the campus community with integrity and respect. Though the Office of Campus Safety and Security takes many steps to educate and maintain safety on campus, each individual plays a role and it is important to be aware of the surroundings and use reasonable judgment when studying, working or visiting campus.

Because no campus can totally isolate itself from crime, we ask that you please report suspicious circumstances or criminal activities to WSU Spokane Campus Safety and Security at 509-358-7995 or in emergencies call 911.

Safety and Security Office Location:

Health Education & Research Building,

665 N. Riverpoint Blvd., Suite 201,

Spokane, Wash.

509-358-7995 (24-hour)

Role and Authority:

Campus Safety Officers are responsible for a full range of safety services to the WSU Spokane Campus community. Services include, but are not limited to, all initial crime report investigations, first responder situations including medical emergencies and fire emergencies, safety escorts, vehicle jump starts and unlocking, and enforcement of all University policies, including those relating to alcohol use, drug use, and weapons possession, as well as initial reports of sexual assault, domestic and dating violence and stalking. Campus Safety and Security Officers submit incident reports and information reports on all crimes on or adjacent to campus that are reported to the department. These incident reports are filed with the Office of Facility Operations and are disseminated, ultimately becoming part of its record-keeping process. All incidents that are criminal in nature, or that are likely to become criminal are forwarded to Spokane Police Department for further consideration or investigation. Limited commission officers have arrest powers as a police officer while on duty and within the WSU Spokane Campus boundaries. The remaining officers are non-commissioned and are governed by the civil service statutes of the State of Washington. They have the same arrest powers as a private citizen as interpreted from common law within the State of Washington.

The WSU Spokane Campus Safety and Security Office is comprised of:

- 2 Supervisors, both limited police commissioned
- 5 Full-time safety officers, four who are limited police commissioned
- 6 Part-time safety officers
- 1 Clerical assistant

General Tips for Staying Safe

Most crime is committed as a result of opportunity. The best prevention is to eliminate opportunities:

- Keep your vehicle doors locked at all times.
- Lock up wallets, purses, and other valuables. Keep them out of sight.
- Report suspicious persons and activities when you see them.
- Report safety hazards, unsafe lighting and defective equipment to Facilities at 509-358-7994.
- Avoid walking alone at night. Let people know where you are going.
- Plan your walk by choosing a safe, well-lit, and populated route.
- Be aware of your surroundings. Know where you are going. Know what to expect.
- Have good body language by walking with a purpose. Keep your head up, swing your arms, and stand up straight. Don't appear as an easy target.
- Get to know your neighbors. Encourage checking on each other often.
- Safety online: always keep your personal information confidential.

University and Community Alcohol and Substance Abuse Resources

University and community resources are available to assist students with any problems associated with alcohol and substance abuse. These services include information, assessment, treatment and referral.

Resource Numbers: Crisis Services and Suicide Prevention

- WSUS Counseling (Spokane) 509-358-7740 (Mon-Thurs 8 a.m. to 6 p.m.)
- WSU Counseling (Pullman) 509-335-4511 (after-hours/Holidays)

- WSU Health Sciences Crisis Line 509-368-6500 (after-hours/Holidays)
- Spokane Crisis Line 509-838-4428 (including suicide prevention)
- SAFeT Sexual Assault Response 509-624-7273
- Ogden Hall Shelter for Women & Children 509-327-7737
- YWCA Domestic Violence Hotline 509-326-2255
- YWCA Women's Resource Center 509-326-2255
- Spokane Area Hospitals/Health Care
- Deaconess Hospital 509-458-5800
- Rockwood Clinic 509-838-2531 Main Clinic
- Providence Holy Family Hospital 509-482-0111
- Providence Sacred Heart Medical Center 509-474-3131
- Telephone Nurse 509-335-3575 (24-hr. free consultation-WSU)
- Pullman HWS Pharmacy 509-335-5742

SECURITY OF AND ACCESS TO WSU FACILITIES

During business hours (6:30 am to 10:00 pm, Monday through Friday for most buildings) the university is open to students, parents, employees, contractors, guests and invitees. During non-business hours, which include some buildings during the weekends, access to the university buildings are by card or key, if issued, or by admittance via the Department of Campus Safety and Security, with prior approval. Emergencies on or around campus may necessitate changes to any posted schedules. Areas that are revealed as problematic have security surveys conducted of them as well as an annual campus vulnerability study performed by the WSU Spokane Office of Campus Safety and Security. Administrators from Facility Operations, Campus Safety Committees, and other offices concerned review the survey results. These surveys examine security issues such as landscaping, locks, alarms, lighting, crosswalk safety, handicap accessibility and communications.

Security Awareness Programs

During orientation in August for WSU students, and September for EWU students in specific departments, services are offered by WSU Spokane Campus Safety and Security. Verbal presentations by officers are scheduled during the orientations which outline campus wide resources and campus safety related prevention techniques while on the WSU Spokane Campus. Programs such as bike registration, bicycle lock purchasing, floor captain and fire drill/evacuation training, personal awareness while walking around campus and the urging of community members to call Campus Safety and Security if they see anything suspicious are all available (SEE SOMETHING, SAY SOMETHING).

Periodically during the academic year or otherwise scheduled special showings, the WSU Spokane Office of Campus Safety and Security, in cooperation with WSU Student Affairs and Counseling Services, show active shooter videos and facilitate active discussion after the showing for the campus community that are designed to educate and empower the campus community to develop their own personal safety plan for emergencies, whether on or off campus.

Current crime prevention techniques are also communicated during these meetings, and are also available upon request from the supervisors of WSU Spokane Office of Campus Safety and Security. Along with periodic seminars, security performs an annual vehicle/bike survey outlining things left in

vehicles or on bikes while parked on campus that would further increase the likelihood of crimes of opportunity to occur. Such items targeted include cell phones, GPS devices, stereo equipment, personal hygiene items, school books and handbags, laptops and tablets, cables locks for bikes, an abundance of loose change within sight and other easily sellable or tradeable items. A summary report is then published and distributed around campus for the campus community members to read and review.

WORKING RELATIONSHIPS WITH LOCAL, STATE AND FEDERAL LAW ENFORCEMENT AGENCIES

WSU Spokane Office of Campus Safety and Security maintains relationships with all local, county and state law enforcement agencies. These agencies include police, fire and emergency management offices within Eastern Washington. Throughout the year, joint trainings are attended by WSU Spokane's Campus Safety and Security Team in order to foster interagency cooperation and also to complement and enhance emergency response efforts through standardized and new emerging trends.

Campus Safety also attends Federal seminars when available to develop and maintain relationships and cooperation with the Secret Service, FBI, Border Patrol, as well as the US Marshall and Homeland Security Services. When opportunities present themselves, the WSU Spokane Campus hosts training areas for local police and fire agencies on the campus grounds or in buildings on campus. Examples of such venues are open-ground training for narcotics K-9s, SWAT and Tactical team training, entering and clearing buildings, and hostage negotiations with tactical entry of buildings. The fire department will occasionally use some exterior of campus buildings to deploy engine ladders as well as tour the campus buildings to remain familiar with the geography of the evolving campus.

TIMELY WARNINGS

The Clery Act contains a requirement for "timely warnings" intended to communicate prevention strategies for students and employees when an incident has occurred or a pattern of risk is identified. It is not intended to be an emergency warning and only needs to be issued in a timely manner. In most cases there would be adequate time for a "timely warning" to be vetted and approved by senior administrators. In serious situations a timely warning may serve as a follow-up to an emergency notification.

While the WSU ALERT web page is the primary site for posting timely warnings, additional communications tools such as WSU Announcements, press releases, paper copies of the warning, and the Alert email list serve may also be appropriate. University Relations will work with police and Campus Safety and Security in crafting these warnings.

Examples of issues requiring timely warnings could include:

- Investigations of a series of car thefts in a certain area
- Unsolved burglaries
- A pattern of drug dealings or activities that puts students at risk
- Prevention notices, etc.

Per the Clery Act, timely warnings must be issued for the following crimes, if the crime is reported to campus security authorities, who have been identified in this report, and the crime is determined to pose a serious or continuing threat to WSU students and employees, and the crime occurred on campus,

in or on non-campus buildings or property owned by WSU, or owned or controlled by a student organization officially recognized by WSU, or on public property that is within the campus or immediately adjacent to campus:

- Criminal homicide (includes murder, non-negligent manslaughter)
- Sex offenses (includes forcible sex offenses and nonforcible sex offenses)
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Arrests or referrals for disciplinary action for liquor law violations, drug law violations, and illegal weapons possession
- Hate crimes, including the following listed below, if such crime manifests evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, gender identity, ethnicity, or disability
- Any crime listed above, as defined by the Clery Act
- Crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property, or
- Any other crime involving bodily injury.

A timely warning may be issued for any other crime or incident as deemed necessary or appropriate.

EMERGENCY RESPONSE and EVACUATION PROCEDURES

Crisis Communications Management at WSU Spokane:

WSU has a number of methods to provide warning and notification of emergency situations affecting the campus. These systems include the Campus Outdoor Warning System consisting of seven PA units around campus, which provide an audible warning by voice announcements giving information on what people should do as an emergency situation develops.

This system is primarily focused on those outdoors, moving about the campus. A second key addition to our emergency warning and notification capability is the Crisis Communication System (CCS) that connects directly to students, faculty, and staff using voice and text messaging and email to provide warning of an emergency and basic directions on what steps people should take in response.

Receiving emergency warnings on personal cell phones, land line phones, and email requires registration. Registration can be accomplished at my.wsu.edu. In addition to these primary notification methods, the Office of Emergency Management also operates a campus-wide Alert e-mail list serve which allows email transmission of warnings and other messages to the campus population.

Along with the WSU SPOKANE ALERT website (spokane.wsu.edu/alert/), these methods enhance the University's ability to provide timely warning and notification of any emergency issues that the university community may face.

Drills, Exercises and Training:

WSU Spokane holds an emergency communications systems test at least once a semester. The test includes activation of the Crisis Communication System and Campus Outdoor Warning System. Other methods of emergency communication may also be activated during these tests. These tests may be previously scheduled and announced to the community, or may be unannounced.

WSU Spokane holds exercises for campus emergency responders and campus specific emergency management personnel at least twice each year and conduct follow-through activities designed for assessment and evaluation of existing emergency response plans, procedures, and capabilities.

Whenever possible, emergency responders from local agencies tour the campus buildings and grounds, and are invited to participate in the exercises. In addition, the Campus Safety and Security Supervisors participate in local agencies' trainings such as active shooter exercises, Incident Command System (ICS) exercises and weekly law enforcement situation reporting meetings for gang, crime and trending and mental illness awareness response.

All occupied WSU Spokane buildings are tested individually for evacuation procedures at least once annually. WSU Spokane publishes a summary of its emergency response and evacuation procedures in conjunction with at least one exercise each calendar year.

The WSU Spokane Facility Operations Emergency Management Coordinator will be responsible for maintaining records of each of these evacuation drills for seven years as required by the Clery Act. The Emergency Management Coordinator will also be responsible for maintaining records of all drills and exercises established for campus emergency responders as well as for emergency communications systems tests. The Coordinator of Emergency Management will keep these records for seven years as required by the Clery Act. Records will include, for each drill, a description of the exercise, the date, the time, and whether it was announced or unannounced.

Emergency Notification:

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on the campus, Washington State University will determine and employ communication methods appropriate to the situation to notify the affected university community immediately. Confirmation of significant emergencies will require direct investigation by appropriate University personnel. Taking into account the safety of the community, Washington State University will determine the content of the notification and initiate the appropriate elements of the emergency notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

For all campus law enforcement issues, Campus Safety and Security will be primarily responsible for confirming a significant emergency or dangerous public safety situation on campus through victim, witness or officer observations. Upon confirmation, the Office of Campus Safety and Security, at the officer-in-charge or above level, will have the primary responsibility to prepare and issue campus law enforcement emergency notifications. For other emergencies (non-law enforcement) including, but not limited to, hazardous materials releases, utility failures, computer systems/telecommunications failures, hazardous weather, etc. affecting the WSU Spokane Campus, other departments at WSU Spokane,

including , but not limited to, Environmental Health and Safety, Facilities Operations, or Information Technology, may also confirm a significant emergency.

All confirmed non-law enforcement emergency notifications will be the responsibility of the Office of Campus Safety and Security, Facility Operations or Communications departments, dictated by the nature of the non-emergency. Confirming departments will report the non-law enforcement emergency to the Office of Campus Safety and Security, Facility Operations or Communications, who will have the primary responsibility to prepare and issue non-law enforcement emergency notifications.

Whether the emergency is a law enforcement or non-law enforcement issue, those authorized to issue emergency notifications will be responsible for determining the appropriate segment or segments of the campus community to notify. Incident circumstances may require only a floor, building, facility, area etc. which need to be notified as compared to the entire campus. Examples of situations that could require immediate emergency notifications could include:

- A dangerous assailant for aggravated assault, robbery, arson, rape, murder (even if a suspect is in custody), etc.
- An occurring or impending natural disaster, or
- An occurring or impending manmade disaster.

An emergency notification will include information that would enable members of the university community to take actions to protect themselves. Information to promote safety will include specific information about the type of incident, time, location and instructions on what actions to take and other safety tips. WSU Spokane has three primary tools plus a number of secondary methods of communication.

The primary tools include the Crisis Communications System (CCS), which allows for direct contact via telephone voice and text messaging as well as email to those registered for the system; the Campus Outdoor Warning System (COWS), using loudspeakers to provide immediate warning and direction to personnel who are outside on the main body of the campus; and the Spokane WSU CAMPUS ALERT website where more detailed information, guidance and resource information can be posted.

Examples of communication mediums that can be used by the WSU Spokane Campus:

- Everbridge Mass Notification System
- Campus Emergency Loudspeaker system (7) on top of Emergency Blue Poles
- Campus Alert webpage at <http://www.spokane.wsu.edu/alert/>
- Campus Email System - separate email list serves for WSU, EWU and other campus affiliates
- Local Media
- Twitter Account: [@WSUSpokane](https://twitter.com/WSUSpokane)
- Facebook at <http://www.facebook.com/WSUSpokane>
- MY WSU Portal at <http://my.wsu.edu> accessible by WSU students/staff/faculty with a WSU ID#

The Office of Campus Safety and Security, Facility Operations and Communications personnel who are identified as having responsibility for issuing emergency notifications are trained and practice on confirming significant emergency or dangerous situations, preparation of notification content and use of the CCS.

All notifications posted on the Spokane WSU CAMPUS ALERT page are the responsibility of the Office of Communications at WSU Spokane. The message will be the same Safety Alert text for either law enforcement or non-law enforcement notifications that are released via the CCS, and will be posted on the Spokane WSU CAMPUS ALERT web page. The message will be posted after the CCS alert, and will also include standard text advising recommended actions to take for people to protect themselves as appropriate to the emergency.

As the situation progresses, the Spokane WSU CAMPUS ALERT web page will be updated or expanded as necessary. The expanded Spokane WSU CAMPUS ALERT message will contain more details and recommendations for actions to be taken for people to protect themselves. WSU Spokane Department of Communications will consult with Incident Command and with any appropriate resources, such as the Vice Chancellor of Student Affairs or the Director of Human Resources in crafting these messages. The messages will be vetted by appropriate administrators, if necessary, prior to posting if they are available.

Closure of the incident will be provided with a final posting of an appropriate message detailing the end of the incident and to make it clear that any threat is over.

Addressing Criminal Activity Off Campus

When a WSU Spokane student is involved in an off-campus offense, a Spokane Police Neighborhood Resource Officer, as per a verbal agreement with the WSU Spokane Campus Safety and Security Department, will notify us of any serious incidents occurring on campus or in the immediate neighborhood and business areas surrounding campus. This agreement also exists with the Eastern Washington University Campus Police Department whose students attend our shared campus. WSU Spokane Campus Safety and Security officers work closely with city, county and state police to facilitate rapid response in any emergency situation.

In the event that a WSU Spokane student commits a criminal offense off-campus, local law enforcement, as per agreement, may contact the WSU Spokane Office of Campus Safety and Security for purposes of a Student Conduct Code referral. Any report of criminal activity by a WSU Spokane student may be investigated by Campus Safety and Security and will be forwarded to the WSU Spokane Conduct Office, which may result in disciplinary action in addition to any judicially imposed consequences.

DEFINITIONS FOR SEXUAL ASSAULT AND STALKING (Washington Law)

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.

Dating relationship:

means a social relationship of a romantic nature. Factors that the court may consider in making this determination include:

- (a) The length of time the relationship has existed;
- (b) the nature of the relationship; and
- (c) the frequency of interaction between the parties.

Dating Violence: (from 42 USC § 13925) means violence 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 relationship shall be determined based on a consideration of the following factors:
 - (i) The length of the relationship.
 - (ii) The type of relationship.
 - (iii) The frequency of interaction between the persons involved in the relationship.

Domestic Violence:

means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member.

“Domestic violence” includes but is not limited to any of the following crimes when committed by one family or household member against another:

- (a) Assault in the first degree (RCW 9A.36.011);
- (b) Assault in the second degree (RCW 9A.36.021);
- (c) Assault in the third degree (RCW 9A.36.031);
- (d) Assault in the fourth degree (RCW 9A.36.041);
- (e) Drive-by shooting (RCW 9A.36.045);
- (f) Reckless endangerment (RCW 9A.36.050);
- (g) Coercion (RCW 9A.36.070);
- (h) Burglary in the first degree (RCW 9A.52.020);
- (i) Burglary in the second degree (RCW 9A.52.030);
- (j) Criminal trespass in the first degree (RCW 9A.52.070);
- (k) Criminal trespass in the second degree (RCW 9A.52.080);
- (l) Malicious mischief in the first degree (RCW 9A.48.070);

- (m) Malicious mischief in the second degree (RCW 9A.48.080);
- (n) Malicious mischief in the third degree (RCW 9A.48.090);
- (o) Kidnapping in the first degree (RCW 9A.40.020);
- (p) Kidnapping in the second degree (RCW 9A.40.030);
- (q) Unlawful imprisonment (RCW 9A.40.040);
- (r) Violation of the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.44.063, 26.44.150, 26.50.060, 26.50.070, 26.50.130, 26.52.070, or 74.34.145);
- (s) Rape in the first degree (RCW 9A.44.040);
- (t) Rape in the second degree (RCW 9A.44.050);
- (u) Residential burglary (RCW 9A.52.025);
- (v) Stalking (RCW 9A.46.110); and
- (w) Interference with the reporting of domestic violence (RCW 9A.36.150).

“Employee” means any person currently employed with an agency.

“Sworn employee” means a general authority Washington peace officer as defined in RCW 10.93.020, any person appointed under RCW 35.21.333, and any person appointed or elected to carry out the duties of the sheriff under chapter 36.28 RCW.

“Victim” means a family or household member who has been subjected to domestic violence.

Sex Offenses (Force) [Sexual Assault]

Any sexual act against another person without the other person’s consent. (Includes attempts)

- a. Sexual intercourse with another person without the other person’s consent.
- b. Sodomy with another person without the other person’s consent.
- c. Oral copulation (vaginal, anal) with another person without the other person’s consent.
- d. Rape with a foreign object (vaginal, anal) of another person without the other person’s consent.
- e. Sexual battery is the touching of the intimate parts of another person for the purpose of sexual gratification, without the other person’s consent.

Sex Offenses (No force) [Sexual Assault]

Any unlawful, but consensual sex act with another person. (Includes attempts)

- a. Incest--consensual sexual intercourse between persons who are related to one another within the degrees wherein marriage is prohibited.
- b. Unlawful sexual intercourse, (statutory rape), consensual intercourse with a person who is under the age of consent.

Stalking

(1) A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:

- (a) He or she intentionally and repeatedly harasses or repeatedly follows another person; and
- (b) 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
- (c) The stalker either:
 - (i) Intends to frighten, intimidate, or harass the person; or
 - (ii) 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.

(2) It is not a defense to the crime of stalking under subsection (1)(c)(i) of this section that the stalker was not given actual notice that the person did not want the stalker to contact or follow the person; and

- (a) It is not a defense to the crime of stalking under subsection (1)(c)(ii) of this section that the stalker did not intend to frighten, intimidate, or harass the person.

(3) It shall be a defense to the crime of stalking that the defendant is a licensed private investigator acting within the capacity of his or her license as provided by chapter 18.165 RCW.

(4) Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person.

(5) (a) Except as provided in (b) of this subsection, a person who stalks another person is guilty of a gross misdemeanor.

- (b) A person who stalks another is guilty of a class B felony if any of the following applies: (i) The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a protective order; (ii) the stalking violates any protective order protecting the person being stalked; (iii) the stalker has previously been convicted of a gross misdemeanor or felony stalking offense under this section for stalking another person; (iv) the stalker was armed with a deadly weapon, as defined in RCW 9.94A.825, while stalking the

person; (v)(A) the stalker's victim is or was a law enforcement officer; judge; juror; attorney; victim advocate; legislator; community corrections' officer; an employee, contract staff person, or volunteer of a correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare, or adult protective services division within the department of social and health services; and (B) the stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or (vi) the stalker's victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony.

(6) As used in this section:

(a) "Correctional agency" means a person working for the department of natural resources in a correctional setting or any state, county, or municipally operated agency with the authority to direct the release of a person serving a sentence or term of confinement and includes but is not limited to the department of corrections, the indeterminate sentence review board, and the department of social and health services.

(b) "Follows" means deliberately maintaining visual or physical proximity to a specific person over a period of time. A finding that the alleged stalker repeatedly and deliberately appears at the person's home, school, place of employment, business, or any other location to maintain visual or physical proximity to the person is sufficient to find that the alleged stalker follows the person. It is not necessary to establish that the alleged stalker follows the person while in transit from one location to another.

(c) "Harasses" means unlawful harassment as defined in RCW 10.14.020.

(d) "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person.

(e) "Repeatedly" means on two or more separate occasions.

Alcohol Policy

WSU Spokane seeks to encourage and sustain an academic environment that both respects individual freedom and promotes the health, safety, and welfare of all members of the community. In keeping with these objectives, the University has established a policy and guidelines governing the distribution and consumption of alcoholic beverages on the WSU Spokane Campus, consistent with laws of the state of Washington. Possession and/or consumption of alcoholic beverages is not permitted on property owned or controlled by the University. Intentionally or knowingly selling, or intentionally or knowingly "furnishing" alcoholic beverages to persons under the age of 21, or to persons obviously inebriated, is not permitted on property owned or controlled by the University.

Alcohol can be served at public events only to those over the age of 21 and only if in conformity with those requirements of the Washington Liquor Control Board and the University regarding the serving of alcohol. Arrangements for serving alcohol at public events must be made through the Events coordinator for the WSU Spokane Campus. WSU Spokane Campus Safety and Security, along with

Spokane Police Department have primary responsibility in enforcing alcohol and drug laws on the WSU Spokane Campus. Any individual known to be in violation of the University alcohol policy is subject to disciplinary action and possible arrest, imprisonment, or fine according to Washington State or federal law.

Illegal Drug Policy

The WSU Spokane Campus does not condone possession, use, or distribution of any and all illegal drugs by anyone on campus property. Any individual known to be possessing, using, or distributing such drugs is subject to disciplinary action and possible arrest, imprisonment, or fine according to Washington State or federal law.

WSU'S SEX AND GENDER VIOLENCE PREVENTION AND RESPONSE, POLICIES, SUPPORT AND EDUCATION

WSU is committed to fostering a safe and secure environment for students, staff, faculty, and visitors, free of all forms of discrimination, including sex and gender-based violence. WSU demonstrates its commitment to these principals by equipping our community with the knowledge, skills, and resources to maintain a safe and welcoming environment for everyone. WSU has adopted policies and procedures to address incidents of sexual violence, including sexual assault, sexual exploitation, intimate partner violence and stalking. WSU policies apply to all students, staff, faculty, contracted employees, and visitors. The processes in place allow WSU to address conduct that occurs on and off campus, and serves as a separate and distinct process from the criminal process. For additional information, visit the Office for Equal Opportunity website at oeo.wsu.edu.

OUR EFFORTS TO PREVENT AND RESPOND TO SEX AND GENDER VIOLENCE, INCLUDING SEXUAL ASSAULT, SEXUAL EXPLOITATION, INTIMATE PARTNER VIOLENCE AND STALKING:

Sexual violence, including stalking, dating violence, domestic violence, and sexual assault, has been prohibited by University policy for many years. Policies relating to these issues have been vigorously enforced to ensure WSU remains a safe and inclusive environment for all. All forms of sexual violence may implicate the Washington State University Policy Prohibiting Discrimination, Sexual Harassment and Sexual Misconduct, the Standards of Conduct for Students, other University policies and may violate federal and state laws. Violations of University policies are subject to disciplinary action through the applicable policy. For additional information, please visit oeo.wsu.edu.

WSU has an obligation to address conduct after learning of an incident. All employees of WSU are required to report all information relating to allegations of sexual harassment, including sexual violence to the WSU Title IX Coordinator. Reports can be made a variety of ways, including: online, in person, by phone, or through staff or employees of WSU. For more information on this requirement, including the limited exceptions, please see <https://oeo.wsu.edu/reportingrequirements-2/>.

After the incident is reported to the WSU Title IX Coordinator, a representative from the Office for Equal Opportunity will contact the individual who experienced the conduct to provide information on WSU policy, reporting options, and resources available on campus and within the community. The survivor is

not obligated to report the incident to WSU or law enforcement. WSU will not provide the information to law enforcement, unless the survivor would like assistance in doing so, or under limited exceptions as required to do so by state or federal law, such as the survivor being a minor.

Any person who experiences sexual violence may report to the Office for Equal Opportunity at 509-335-8288, French Administration Room 225, Pullman, Washington 99164, by email at oeo@wsu.edu, or online at <https://oeo.wsu.edu/file-a-complaint/>.

PREVENTION AND EDUCATIONAL PROGRAMS REGARDING SEXUAL ASSAULT, SEXUAL EXPLOITATION, INTIMATE PARTNER VIOLENCE AND STALKING

WSU provides a range of education and prevention programs to strengthen prevention efforts, further develop campus wide understanding of policy and processes, and enhance accessibility to services for victim/survivors of such violence. WSU regularly provides all students with information about reporting options via email messages, as well as through in person trainings specifically designed to explain available processes. WSU also produces an array of online and printed materials for students and employees about accessing support services and making complaints regarding sexual assault, sexual exploitation, intimate partner violence and stalking. For information about specific programs, visit <https://cougarhealth.wsu.edu/violence-prevention/>

BYSTANDER INTERVENTION TRAINING

Keeping our community safe requires everyone on our campus to be proactive. Often when bystanders see situations that could lead to violence, our tendency is to walk away. We may feel unsure about our role in the situation or may be concerned for our physical safety. Even so, there are safe and positive options available to intervene in situations that may lead to acts of violence. Training is offered throughout the year that include these options:

Being direct. If you see someone doing something that is making another person uncomfortable, speak up.

Getting someone else involved. If you feel like you can't handle the situation on your own, ask a group of friends to help you, or talk to a supervisor, RA, or other person of authority. If the situation is making you feel unsafe, contact the police.

Creating a distraction. Sometimes the best way to get someone out of a potentially dangerous situation is to divert attention elsewhere.

If a situation is making you uncomfortable, chances are other people are uncomfortable too. By standing up and being a proactive bystander, you give other people encouragement to do the same. For more information about your role as a bystander, consider attending a training on campus.

THE RED FLAG CAMPAIGN

The Red Flag Campaign is a public awareness effort aimed at stopping dating violence. It helps students identify "red flags" for violence in their friends' relationships and encourages them to intervene. The campaign features a series of eight posters that illustrate these red flags that may be occurring in a

relationship. With college students at a high risk for either acting as a perpetrator or being a victim, this campaign is essential for them to learn how to recognize potential signs of abuse and how to intervene effectively to help someone in an abusive relationship. Through the campaign students are encouraged to speak up and seek out resources if they witness any of the red flags in a relationship.

RISK REDUCTION

We believe that it is not a victim/survivor's decisions that lead to acts of harm or violence. Rather, someone else is making choices to cause harm to another person. There are steps everyone can take to promote individual and community safety on campus:

- Plan ahead. Charge your phone before going out and stay in contact with your friends throughout the evening. Ask friends to check in with each other before leaving for the night. If someone doesn't check in, call or text to make sure they're okay.
- Make a back-up plan if things don't go as planned. Bring extra cash if you need to call a cab to get home, or contact a friend if you feel unsafe walking home alone at night.
- Pay attention to your gut instincts. If a situation feels uncomfortable, find someone you trust, or leave. Contact the police if you have concerns for your safety.
- If choosing to drink alcohol, be aware of how your body responds to drinking and plan accordingly. Plan out how many drinks you'll have and stick to that plan. Eat a full meal before going out, or eat snacks throughout the night. Alternate between alcohol and nonalcoholic drinks.
- Respect everyone's personal boundaries in all situations, including those involving sex. Consent at WSU must be clear, knowing, and voluntary. If you're not certain you've obtained consent, stop and check in with your partner.

Reducing rates of violence on our campus can seem overwhelming, but it becomes a much easier task when we all work together.

EMPLOYEE TRAINING

WSU mandates training for University employees on Discrimination, Sexual Harassment, and Sexual Misconduct Prevention, which includes information on reporting responsibilities and best practices. In addition, the WSU Office for Equal Opportunity regularly provides additional training about sex and gender based violence and trauma-informed response information for Law Enforcement, members of the Conduct Board and other staff who work with students. Employees for the Office for Equal Opportunity and the Office of Student Conduct receive continuous training throughout the year on topics related to sexual assault, sexual exploitation, intimate partner violence and stalking, as well as how to conduct an investigation and hearing process that protects the safety of victim/survivors and promotes accountability.

DESCRIPTIONS OF PROGRAMS AND LINKS FOR ADDITIONAL INFORMATION

Ally Training

The Gender Identity/Expression and Sexual Orientation Resource Center (GIESORC) is respectful of confidentiality and is knowledgeable about resources for members of the lesbian, gay, bisexual, and transgender community. WSU promotes an atmosphere that is safe and inclusive for all members of the

campus community and does not condone discrimination. Any faculty, staff, student, or community member may participate in Ally training. For more information please contact the Diversity Center at 509-358-7514 or email to dion.crommarty@wsu.edu.

OEO Trainings on Website

The Office for Equal Opportunity continues to raise awareness for surrounding human rights and equal employment opportunity issues. By engaging in educational endeavors, it is our hope to improve campus climate, improve best practices, and help secure a diverse workforce that can meet the needs of the university. Please visit oeo.wsu.edu/education-training for access to online trainings, and to request in-person training through an online form.

Cultural Competency Training

WSU is becoming one of the fastest growing diverse and inclusive universities in the northwest and Eastern Washington. The commitment to diversity is even more apparent with the creation of the first Cultural Competency Certificate Program in the Washington State University system. Offered through the Office of Equity and Diversity, the Cultural Competency Certificate Program consists of cultural diversity workshops, seminars, classroom curriculum offerings and service learning opportunities available to all members of the community. The Cultural Competency Certificate Program is the link between theory and the practical application of the concepts to the workplace, creating an experiential shift in values, attitudes and behaviors that will result in a fully engaged workforce. Upon completion of the program, you will be able to leverage your cultural competencies in order to better access new and emerging markets. To schedule a Cultural Competency training, please contact the WSU Diversity Education office at 509-338-0279. To learn more about the training, please visit the website at diversityeducation.wsu.edu/culturalcompetencytraining.

OPTIONS IF YOU OR A FRIEND EXPERIENCES SEXUAL ASSAULT, SEXUAL EXPLOITATION, INTIMATE PARTNER VIOLENCE AND STALKING:

There are several options in seeking care for an individual impacted by sexual assault, sexual exploitation, intimate partner violence and stalking. WSU provides access to both confidential and other resources. Victim/survivors are encouraged to access whichever resource they feel most comfortable. A current listing of resources for victim/survivors can be found on the Office for Equal Opportunity website at oeo.wsu.edu/resources.

Victims/survivors are encouraged to seek medical care, even if they are unsure whether they want to make a police report or if they choose not to move forward with a criminal investigation. A healthcare provider can help assess your well-being and personal safety, provide any necessary medical treatment and refer you to counseling and other resources. Victim/survivors of sexual assault should preserve any evidence that may be necessary to prove a criminal offense. Preservation includes refraining from showering or bathing and saving articles of clothing worn during the assault. Victim/survivors have the option to be accompanied by a support person, such as a friend or an advocate, during medical appointments.

REPORTING OPTIONS

NOTICE OF RIGHTS AND OPTIONS

WSU has a strong history of providing services and support to victim/survivors of sex and gender-based violence. WSU has established relationships with confidential advocacy groups in each of the communities where our campuses are located, as well as with agencies in other parts of Washington. In addition, WSU offers access to counseling services on each of our campuses, as well as support in accessing local health services; with 24-hour access to counseling services, and SANE-certified forensic exams at our campus health services on our Pullman campus. Financial assistance is available for medical care after an assault even if a student chooses not to undergo a forensic exam. These are all confidential resources. WSU provides supports in coordinating services and referrals to partner agencies for all students engaged in our processes, on each of our campuses. WSU may be able to assist individuals with changes to academic schedules, living arrangements, working arrangement, or take other protective measures. WSU will assist in obtaining this support, when the victim/survivor requests the services and when they are reasonably available, whether the survivor chooses to report the incident to WSU or law enforcement.

WASHINGTON STATE UNIVERSITY AMNESTY STATEMENT

WSU encourages students to report incidents of sexual violence without fear of consequences for having possessed or consumed alcohol and/ or drugs at the time of the incident. WSU's primary concern is to ensure the safety of the students involved and gather relevant information so the University can address the student(s)' concerns. Generally, WSU will refrain from imposing formal discipline for alcohol or drug use and/or possession under the Standards of Conduct for Students for victims and potential witnesses of sexual violence in order to facilitate reporting and resolution of sexual violence concerns.

This practice will not provide relief from disciplinary action for other alleged violations of the Standards of Conduct (e.g., hazing, theft, drug/alcohol manufacturing or distribution).

Moreover, students who distribute alcohol and/or drugs that intentionally, or through negligence, contribute to the sexual violence will not be granted the same consideration.

In rare circumstances where the Office of Student Conduct has concerns that a student's repeated or severe misuse of alcohol or drugs will result in additional harm if unaddressed, the University may impose care-driven educational sanctions to address those concerns.

INTERIM AND PROTECTIVE MEASURES

WSU can take appropriate interim steps before a final resolution of an investigation to support and protect the students involved in the matter. Some support measures may be available regardless of whether a victim/survivor wishes to pursue a complaint or notify law enforcement. WSU may impose a "no-contact" directive, which typically includes a directive that the parties refrain from having contact with one another. Other interim measures include but are not limited to, altering the academic, WSU dining arrangements,

WSU housing and/or WSU employment arrangements of the parties. When taking such steps, WSU seeks to minimize unnecessary or unreasonable burdens on either party. Violations of such protective measures may lead to disciplinary action. The Office of the Dean of Students is available to assist in implementing assistance measures to support victims/survivors.

CONFIDENTIALITY

WSU takes confidentiality seriously. Investigative information is shared with others on a need-to-know basis only, including with investigators, witnesses, the accused individual, and relevant WSU officials, or as required or permitted by law. In some cases, the investigation file may be subject to requests for public records; WSU redacts identifying or other information when legally permissible. The WSU Police Department will not release the names of survivors/victims in its Timely Warning notices, Campus Alerts, Emergency Notifications, or in the Daily Crime Log.

When a complainant requests confidentiality or that WSU not proceed with an investigation, WSU respects that request to the extent possible. WSU's legal obligation to provide a safe and nondiscriminatory environment may require that OEO proceed with an investigation, which may require investigators to share limited identifying information about a complainant. OEO informs a complainant if this occurs. In all cases, OEO works with the complainant to provide resources and support.

CONFIDENTIAL CONSULTING PROTECTED BY LAW

Anyone who has experienced conduct implicated by this policy may choose to consult with a licensed mental health care provider or health care provider. By law, such professionals are able to assist victims confidentially and are exempt from legal obligations to report incidents for investigation, with some exceptions (for example, child abuse, elder abuse, and certain threats of harm).

EXPLANATION OF WSU INVESTIGATIVE PROCEEDINGS FOR REPORTED INCIDENTS OF SEXUAL ASSAULT, SEXUAL EXPLOITATION, DATING VIOLENCE, DOMESTIC VIOLENCE AND STALKING

Upon receiving a report of sexual violence, the Office for Equal Opportunity (OEO) typically takes steps to contact the individual who experienced the alleged conduct to provide information regarding resources available at WSU and in the community. OEO also provides information regarding the WSU Policy Prohibiting Discrimination, Sexual Harassment, and Sexual Misconduct, Executive Policy #15, the investigation process and interim measures that may be available during an investigation. OEO investigates matters involving students, employees, and visitors regardless of whether the conduct occurred on or off campus, as appropriate, and provides a prompt, fair, and impartial investigation by officials who receive annual training on discriminatory conduct, including sexual violence, and how to conduct a trauma informed investigation. Additional information regarding OEO's investigative procedures is available on the OEO website at oeo.wsu.edu/investigations.

Enforcement of the WSU Policy Prohibiting Discrimination, Sexual Harassment, Sexual Misconduct

WSU vigorously enforces the Policy Prohibiting Discrimination, Sexual Harassment, Sexual Misconduct, Executive Policy #15 (EP 15). Persons determined to have violated this policy are subject to sanctions imposed using the procedures set forth in applicable university policies and handbooks (e.g., the WSU Faculty Manual, the Administrative Professional Handbook, WAC 357-40 (civil service employees), applicable collective bargaining agreements, or the WSU Standards of

Conduct for Students, WAC 504-26), including any appeal procedures therein. The imposed sanction(s) is to be adequately and appropriately severe to prevent future offenses and to protect other students and the University community. The sanctions that are imposed, or other actions taken, must be reported to OEO by the administrator or supervisor who imposed the sanctions.

In a matter involving an employee, possible sanctions may include: (i) verbal counseling; (ii) warning, verbal and/or in writing; (iii) required training, (iv) memorandum of concern; (v) letter of reprimand; (vi) suspension without pay;

(vii) demotion; (viii) termination; or (ix) any combination of the previously stated disciplinary sanctions. In addition, inappropriate and unprofessional behavior by WSU personnel that does not rise to the level of a policy violation (e.g., unwelcome sexual comments that are not sufficiently severe, persistent, or pervasive to constitute sexual harassment) may nonetheless be subject to corrective or disciplinary action in some cases.

In a matter involving a student, possible sanctions may include: (i) warning, verbal and/or in writing; (ii) probation; (iii) restitution; (iv) education or training; (v) community services (vi) loss of student privileges; (vii) loss of recognition; (viii) hold on transcript and/or registration; (ix) no contact order; (x) trespass from WSU campus; (xi) suspension from residence hall; (xii) removal from residence hall; (xiii) withholding degree;

(xiv) revocation of admission and/ or degree; (xvii) university suspension; (xviii) university expulsion, or (xix) any combination of the previously stated disciplinary sanctions.

UNIVERSITY DISCIPLINARY PROCEDURES IN SEXUAL VIOLENCE INCIDENTS FOR STUDENTS INVESTIGATIVE AND HEARING PROCEDURES

The Office for Equal Opportunity (OEO) will determine whether the WSU Policy Prohibiting Discrimination, Sexual Harassment, and Sexual Misconduct is implicated. The Office of Student Conduct (OSC) will determine whether or not provisions of the WSU Standards of Conduct for Students are implicated. In most instances, representatives from OEO and OSC will jointly conduct the investigation. The reporting party may determine the extent to which they will participate in this process. In some situations, the University may be required to proceed with an investigation regardless of whether the reporting party decides to participate in the investigation or disciplinary process. During an investigation, OEO will interview witnesses and gather any documentary or other evidence. At the conclusion of the investigation, OEO will send an investigative memorandum to OSC in the case of student respondents, or to supervisors in the case of an employee respondent. The memorandum will include a summary of the investigation, findings of fact, and a conclusion as to whether or not EP 15 has been violated.

In matters involving the student conduct, the Office for Student Conduct will determine whether disciplinary action under the Standards of Conduct for Students is warranted. If disciplinary action is warranted, OSC may address the matter through an informal one-to-one conduct officer hearing, or refer it to the University Conduct Board for a hearing. The Conduct Board or Conduct Officer will make a decision on the matter within ten calendar days of the hearing. Both the complainant and the

respondent will have a right to file an appeal of the Conduct Board's or conduct officer's decision to the University Appeals Board.

Standard of Proof

WSU uses a "preponderance of evidence" legal standard to evaluate allegations of conduct violations, which means it is "more likely than not" that the behavior or incident in the complaint occurred.

ADDITIONAL RIGHTS AND PROCESS DURING AN INVESTIGATION

- Support Person or Advisor
- Standard of Proof
- Timeframes
- Simultaneous Notification of outcomes and of hearing schedule
- Rights to attend hearing(s)
- Rights to appeal
- Right to provide testimony (written and oral) during conduct proceedings
- Right to question witnesses/parties in a hearing through Conduct Board Chair/Conduct Officer
- Right to provide relevant witnesses/evidence during conduct proceedings

STUDENT DISCIPLINARY PROCEDURES IN MATTERS INVOLVING DISCRIMINATION

AND SEXUAL VIOLENCE

The Office for Equal Opportunity (OEO) will determine whether the WSU Policy Prohibiting Discrimination, Sexual Harassment, and Sexual Misconduct, Executive Policy #15 (EP 15) is implicated. The Office of Student Conduct (OSC) will determine whether or not provisions of the WSU Standards of Conduct for Students (Standards of Conduct) are implicated. The reporting party may determine the extent to which they will participate in this process. In some situations, the University may be required to proceed with an investigation regardless of whether the reporting party decides to participate in the investigation or disciplinary process. During an investigation, OEO will interview witnesses and gather any documentary or other evidence, as provided by the individuals involved in the matter.

At the conclusion of the investigation, OEO will send an investigative memorandum to OSC and relevant parties. The memorandum will include a summary of the investigation, findings of fact, and a conclusion as to whether or not EP 15 has been violated. In matters involving student conduct, OSC will determine whether disciplinary action under the Standards of Conduct is warranted. If disciplinary action is appropriate, matters that could result in suspension of greater than 10 instructional days, revocation of degree, or expulsion, the matter will be referred to a full adjudicatory hearing before an Administrative Law Judge. All relevant parties are notified of their rights during the hearing, the issues to be determined during the hearing, and any relevant dates, times, and locations.

Following the hearing, the Administrative Law Judge will issue an Initial Order, or decision, within ten calendar days of the hearing. All relevant parties receive a copy of the decision,

which describes the findings as well as sanctions, if appropriate. The decision also includes a description of the involved parties rights to appeal and directions to submit an appeal with the University President.

In some circumstances, OSC may address the matter through an informal one-to-one conduct officer hearing. The Conduct Officer will make a decision on the matter within ten calendar days of the hearing and will notify all involved parties of the decision and their right to appeal to the University Appeals Board. Conduct Officers may issue educational sanctions including those listed WAC 504-26-405, but not suspension of greater than 10 instructional days, expulsion, or revocation of degree. Additional information on the full adjudicative hearings, as well as a list of additional rights afforded to involved parties is available at conduct.wsu.edu and on page 24 of this report.

In matters where OEO does not find a violation EP of 15, and the Complainant(s) or Respondent(s) object to the findings or outcome reflected in the OEO memorandum, feel there is additional information that should be considered, or feel that student conduct charges are otherwise warranted in the matter, they have the opportunity to provide that information in writing to OSC within (10) calendar days of the notification from OSC. OSC will consider this information in determining whether to proceed with a conduct process. If the Complainant(s) or Respondent(s) presents information to OSC that is not reflected in the OEO memorandum, OSC may elect to refer the matter back to the OEO to review for a potential revision to the OEO memorandum prior to proceeding with the conduct process.

Additional information on an OEO investigation, procedural guidelines and the appeal process is available at <https://o eo.wsu.edu/o eo-procedural-guidelines-2/>. Information on the Standards of Conduct for Students is available at conduct.wsu.edu.

Note: The standards of conduct may be amended as early as January 2019. More information on the new conduct process will be available at conduct.wsu.edu and in WAC Chapter 504-26 and 504-04.

The strategic goals of OSC include:

- To equitably and fairly enforce the Standards of Conduct to educate students and protect the welfare of the University community;
- To uphold the Standards of Conduct in a manner that affords students their due process rights;
- To engage students through educational interventions that promote ethical decision making; and
- To ensure compliance with federal and state laws and mandates

Investigative Processes and Procedures

The Office of Student Conduct (OSC), endorses student success and growth by enforcing the Standards of Conduct for Students (Standards of Conduct) as defined by Washington Administrative Code (WAC) Chapter 504-26. Visit <http://apps.leg.wa.gov/wac/default.aspx?cite=504-26>/described below is a general overview. Every situation is different so please contact OSC at 509-335-4532 or visit for additional information. The process www.conduct.wsu.edu for additional information.

EMPLOYEE DISCIPLINARY PROCEDURES IN MATTERS INVOLVING DISCRIMINATION AND SEXUAL VIOLENCE

The Office for Equal Opportunity (OEO) will determine whether the Policy Prohibiting Discrimination, Sexual Harassment, and Sexual Misconduct, Executive Policy #15 (EP 15) is implicated. Human Resource Services (HRS) will determine whether any other university policies may be implicated. In some situations, WSU may be required to proceed with an investigation regardless of whether the reporting party decides to participate in the investigation or disciplinary process. During an investigation, OEO will interview witnesses and gather any documentary or other evidence, as provided by the individuals involved in the matter.

At the conclusion of the investigation, OEO will send a report to HRS, relevant supervisors, and relevant parties. The report will include a summary of the investigation, findings of fact, and a conclusion as to whether or not EP 15 has been violated.

After OEO issues a final report, the Complainant(s) or Respondent(s) may file for an appeal with WSU Office of the President within fifteen (15) calendar days of the date of issuance, and must do so in writing. The WSU President has a standing OEO Appeals Committee (the Committee), which consists of a committee chair, two regular committee members, and two alternate committee members. Committee members receive appropriate training, as determined by OEO, prior to serving on the committee and at least annually thereafter, related to the nature of cases that they may review, including discrimination and sexual violence.

During the review of an appeal, the chair of the Committee will conduct an initial review of the appeal, and determine whether it met the minimum requirements of the appeals process, and if so, the chair will convene the committee and send notice to the Complainant(s), Respondent(s), and OEO within seven (7) calendar days of receiving the appeal. After reviewing the appeal, the Committee will issue a decision letter within thirty (30) calendar days, unless good cause for an extension of up to thirty (30) days is necessary. The Committee's decision is final with respect to the OEO investigation, unless the Committee determines that additional investigation by OEO is warranted. If the Committee concludes that additional investigation is warranted, at the conclusion of such additional investigation, no further appeal is available.

Additional information on an OEO investigation, procedural guidelines and the appeal process is available at <https://oio.wsu.edu/oio-procedural-guidelines-2/>

ADDITIONAL RIGHTS AND PROCESS DURING AN INVESTIGATION

During an investigation, both students and employees, recognized as Complainants and Respondent are provided the following set of rights:

Prompt, fair, and impartial process

Accompaniment of Support Person or Advisor of own choosing

Retain legal representation (at personal expense)

Proof by Preponderance of the Evidence (more likely than not)

Simultaneous notification of outcomes and of hearing schedule

Rights to attend hearing(s)

Appeal rights

For student matters, during a full adjudicative hearing, students recognized as a Complainant or Respondent by the administrative law judge have the following additional rights:

Right to provide testimony (written and oral) during conduct proceedings

Right to question witnesses/parties in a hearing through the Presiding officer or administrative law judge

Right to provide relevant witnesses/ evidence during conduct proceedings

DISCIPLINARY ACTIONS

The University vigorously enforces EP 15. Persons determined to have violated this policy are subject to sanctions imposed using the procedures set forth in applicable University policies and handbooks ((e.g., the WSU Faculty Manual, the Administrative Professional Handbook, WAC 357-40 (civil service employees), applicable collective bargaining agreements, or the WSU Standards of Conduct for Students, WAC 504-26)), including any appeal procedures therein. The chosen sanction is to be adequately and appropriately severe to prevent future offenses. The sanctions that are imposed, or other actions taken, must be reported to OEO by the administrator or supervisor who imposes the sanctions. Possible Sanctions for an employee: warning, verbal counseling, required training, memorandum of concern, letter of reprimand, suspension without pay, demotion and/ or termination. Possible sanctions for student: warning, probation, restitution, education, community services, loss of privileges, loss of recognition, hold on transcript and/or registration, no contact order, trespass, residence hall suspension, residence hall expulsion, withholding degree, revocation of admission and/or degree, university suspension, and/or university expulsion.

In addition, inappropriate and unprofessional behavior by WSU personnel that does not rise to the level of a policy violation (e.g., unwelcome sexual comments that are not sufficiently severe, persistent, or pervasive to constitute sexual harassment), may nonetheless be subject to corrective or disciplinary action in some cases.

DEFINITIONS OF COVERED OFFENSES

Definitions Contained in the Violence Against Women Act

- **Sexual Assault:** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent, as well as incest or statutory rape. The Clery Act defines sexual assault into four separate categories: rape, fondling, incest and statutory rape.

- Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim.
- Dating violence means violence committed by a person who is or has been in a romantic or intimate relationship with the victim.
- Stalking is 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.
- Washington state law definitions of these crimes differ and are incorporated into the Revised Code of Washington available online at apps.leg.wa.gov/rcw.

Definitions Contained Within the WSU Policy Prohibiting Discrimination, Sexual Harassment, Sexual Misconduct, Executive Policy #15 (EP 15)

The WSU Policy Prohibiting Discrimination, Sexual Harassment, Sexual Misconduct, Executive Policy #15 (EP 15) prohibits sexual harassment including sexual misconduct and other forms of sex and gender-based violence as defined below. WSU will address student allegations of sex and gender-based violence regardless of where the conduct occurred.

CONSENT Consent to any sexual activity must be clear, knowing, and voluntary. Anything less is equivalent to a “no.” Clear, knowing, and voluntary consent to sexual activity requires that, at the time of the act, and throughout the sexual contact, all parties actively express words or conduct that a reasonable person would conclude demonstrates clear permission regarding willingness to engage in sexual activity and the conditions of such activity. Consent is active; silence or passivity is not consent. Even if words or conduct alone seem to imply consent, sexual activity is nonconsensual when:

(a) Force or coercion is threatened or used to procure compliance with the sexual activity.

(i) Force is the use of physical violence, physical force, threat, or intimidation to overcome resistance or gain consent to sexual activity.

(ii) Coercion is unreasonable pressure for sexual activity. When an individual makes it clear through words or actions that the individual does not want to engage in sexual contact, wants to stop, or does not want to go past a certain point of sexual interaction, continued pressure beyond that point may be coercive. Other examples of coercion may include using blackmail or extortion to overcome resistance or gain consent to sexual activity.

(b) The person is asleep, unconscious, or physically unable to communicate his or her unwillingness to engage in sexual activity; or

(c) A reasonable person would or should know that the other person lacks the mental capacity at the time of the sexual activity to be able to understand the nature or consequences of the act, whether that incapacity is produced by illness, defect, the influence of alcohol or another substance, or some other cause. When alcohol or drugs are involved, a person is considered incapacitated or unable to give valid consent if the individual cannot fully understand the details of the sexual interaction (i.e., who, what, when, where, why, and how), and/or the individual lacks the capacity to reasonably understand the situation and to make rational, reasonable decisions.

SEXUAL MISCONDUCT Sexual misconduct is an egregious form of sex discrimination/sexual harassment. A number of acts may be regarded as sexual misconduct including, but not limited to, non-consensual sexual contact (including sexual intercourse) and sexual exploitation. Sexual misconduct includes sexual assault and other sexual violence. (WAC 504-26- 221(1))

NON-CONSENSUAL SEXUAL CONTACT Nonconsensual sexual contact is any intentional sexual touching, however slight, with any object or body part, by one person against another person's intimate parts (or clothing covering any of those areas), or by causing another person to touch his or her own or another person's intimate body parts without consent and/ or by force. Sexual contact also can include any intentional bodily contact in a sexual manner with another person's non-intimate body parts. It also includes nonconsensual sexual intercourse. (WAC 504-26-221(3))

SEX OFFENDER REGISTRATION – CAMPUS SEX CRIMES PREVENTION ACT:

The Campus Sex Crimes Prevention Act of 2000 requires colleges and universities to inform students and employees how to learn the identity of registered sex offenders on campus. This law also requires that sex offenders provide notice to any institution of higher education at which the person is employed or is a student.

The Washington State Registered Sex Offender Law began in 1990. The law was later amended to include kidnapping offenders in the registration program (1997). In accordance with the law, the Spokane County Sheriff's Office is required to maintain the registration information for the convicted offenders living in the entire Spokane County area. Local law enforcement agencies in the incorporated areas of Spokane County are responsible for making sure the offenders living in those jurisdictions are residing at the addresses they reported on their registration forms.

The Sex/Kidnapping Offender Registration Law allows the Spokane County Sheriff's Office to register and track convicted offenders. However, the sheriff's office has no legal authority to direct where a sex offender may or may not live. The State Department of Corrections does have limited authority to restrict living choices for offenders who are still on probation or parole for their crime(s). Unless court-ordered restrictions exist, these offenders are constitutionally free to live wherever they choose. Sex offenders have always lived in our communities; but it wasn't until passage of the Community Protection Act of 1990 (which mandates sex offender registration) that law enforcement even knew where they were living. In many cases, law enforcement is now able to share that information with you. Citizen abuse of this information to threaten, intimidate, or harass registered sex offenders will not be tolerated. Further, such abuse could potentially end law enforcement's ability to do community information dissemination. We believe the only person who wins if community notification ends is the sex offender, since sex offenders derive their power through secrecy.

These sites are not meant to violate anyone's privacy or livelihood. They are tools to inform the public and provide information as allowed by state law. Please do not misuse or abuse the information we have provided on these Internet sites.

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

Spokane County <http://www.icrimewatch.net/index.php?AgencyID=54488&disc=>

Your Search:

When you enter the search area, you are given the option of two different methods of searching. One will return a report based on the address that you enter. If you enter an address within the city limits of Spokane, only level 3 sex/kidnapping offenders will be displayed. In all other areas of Spokane County this report provides a list of Level 2 and 3 registered sex/ kidnapping offenders that have a reportable address in Spokane County, within an approximate half-mile radius of the address information you entered. Also listed is the number of level 1 offenders living in that same area. No additional information is being provided for level 1 offenders because they are least likely to re-offend and most have successfully participated in a treatment program. Information in these reports for level 2 and 3 offenders will contain the offender's name, age, race, classification level and crime of conviction and or the crime that originally required the subject to become a registered offender.

The second search function is related only to "Level Three" offenders, meaning those that pose the greatest potential harm to our communities. All level 3 offenders that registered an address within the Spokane County area are included. This search will provide an approximate address of the offender, a photograph of the offender, and a brief narrative section (when available) describing the past crimes and other information that led authorities to classify the offender as a "Level Three" sex offender. Regardless of your search method, your report will only contain information about offenders who have properly registered with the Spokane Sheriff's Office and have a current address in the county.

Missing Student Notification Policy and Procedure

WSU Spokane does not have on-campus student housing; because of this fact, the campus does not have a formal policy regarding missing students. Should a student be reported missing to any campus security authority, best practices will dictate the security department's response on a situational basis. This response includes, but is not limited to, forwarding the report to the appropriate law enforcement jurisdiction.

Fire Log and Fire Safety Report Policy

WSU Spokane does not have on-campus student housing; because of this fact, the campus does not have a formal student housing fire safety policy or procedure. Additionally, a Fire Log and an Annual Fire Safety Report are not published.