Annual Security and Fire Safety Report
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At the beginning of each academic year, all students residing in on-campus housing will be notified of the following: ........................................................................................................... 100
MESSAGE FROM THE DIRECTOR

To the campus community,

On behalf of the men and women of University of Washington Bothell and Cascadia College Campus Safety Department, I want to welcome you to our campus. The safety and well-being of our students, faculty, staff and visitors is our foremost concern. Our department is staffed with professional employees who are dedicated to serving the campus 24 hours a day, 7 days a week, 365 days a year.

We would like to encourage you to review this 2018 Annual Security and Fire Safety Report. This report provides information about the Campus Safety Department and how to report crimes, victim assistance services, policies on sexual harassment, the issuance of timely warnings, emergency notification, crime statistics, and other safety and security information.

The University of Washington Bothell and Cascadia College prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using data collected directly by the Campus Safety Department, as well as information provided by other college offices (such as Student Affairs, Residential Life, and additional Campus Security Authorities) along with information provided by local law enforcement agencies surrounding the campus. Each of these offices contributes updated policy material and reported crime data.

This report provides statistics for the previous three years concerning reported crimes that occurred on or adjacent to the campus property, as well as in certain off-campus buildings or property owned, leased or controlled by UW Bothell/Cascadia College. This report also includes institutional policies concerning campus security, sexual assault, alcohol and other drugs.

The Campus Safety Department distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1 of each year to every member of the campus community. Anyone, including prospective students and employees, may obtain a paper copy of this report in person at the Campus Safety Office (located at 18325 Campus Way NE, Bothell WA, 98011), by contacting the Campus Safety Department at 425.352.5359, or by visiting http://www.uwb.edu/safety.

Cham Kao

Director, Campus Safety

Cham Kao
Mission and Goal
The mission of the Campus Safety Department is to promote a safe and secure living, learning and working environment for our students, faculty and staff in a diverse campus community that encompasses two colleges. The emphasis is to keep our students and campus community safe and secure by means of a community-friendly approach that enhances safety through the visibility of our security personnel, preventative patrols, 24/7 dispatch accessibility, positive conflict resolution, crime prevention and awareness forums. Campus Safety collaborates with local law enforcement, fire agencies, and medical aid in fulfilling its mission. Most importantly, we want our students to have an exciting, fulfilling and rewarding college experience.

With community service as a foundation, Campus Safety is dedicated to goals which enhance the quality of life on campus. Solutions which foster a sense of security in the campus community are sought. The trust of those served by Campus Safety is nurtured; holding each officer to the highest level of performance through continuous training and supportive leadership.

The Campus Safety Department serves two colleges on a co-located campus, and is comprised of a Director, an Assistant Director, a Sergeant, nine Officers, and four full-time Dispatchers. The Campus Safety Department has the authority to ask persons for identification and to determine whether individuals have a lawful business on our campus. Security Officers utilize citizen’s arrest powers* and are supported by the college in the enforcement of all college regulations and rules, applicable state and federal laws, and city and county ordinances on college property.

While there is no written memorandum of understanding, criminal incidents are referred to the Bothell Police Department, who have jurisdiction on the campus. The Campus Safety Department maintains a highly professional working relationship with the Bothell Police Department. All crime victims and witnesses are strongly encouraged to immediately report the crime to the Campus Safety Department and the appropriate police agency. Prompt reporting will ensure timely warning notices on-campus and timely disclosure of crime statistics.

Patrol Jurisdiction
The Campus Safety officer’s primary jurisdiction is all property owned or controlled by the University, including adjacent public streets and property. The following are list of buildings owned or controlled by the University, which encompass the Bothell campus.

Building Addresses: The zip code in Bothell is 98011 and the zip code in Bellevue is 98005 (ELC)

<table>
<thead>
<tr>
<th>Common Building Name</th>
<th>Building Name</th>
<th>Address</th>
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</thead>
<tbody>
<tr>
<td>ARC</td>
<td>Activities &amp; Recreation Center</td>
<td>18220 Campus Way NE</td>
</tr>
<tr>
<td>ASPEN</td>
<td>Aspen Hall—Husky Village</td>
<td>18632 Beardslee BLVD</td>
</tr>
<tr>
<td>CAMPUSVIEW</td>
<td>Campus View Apartment Complex</td>
<td>10735 Ross Road</td>
</tr>
<tr>
<td>CC1</td>
<td>Cascadia College Building 1</td>
<td>18345 Campus Way NE</td>
</tr>
<tr>
<td>CC2</td>
<td>Cascadia College Building 2</td>
<td>18345 Campus Way NE</td>
</tr>
<tr>
<td>CC3</td>
<td>Global Learning and the Arts</td>
<td>18428 110th AVE NE</td>
</tr>
<tr>
<td>CAMPUS SAFETY</td>
<td>Campus Safety &amp; Security</td>
<td>18325 Campus Way NE</td>
</tr>
<tr>
<td>CHASE</td>
<td>Chase House</td>
<td>17936 113th AVE NE</td>
</tr>
<tr>
<td>CONSERVATORY</td>
<td>Sarah Simonds Green Conservatory</td>
<td>18614 110th AVE NE</td>
</tr>
<tr>
<td>CORPYARD</td>
<td>Corporation Yard</td>
<td>18231 110th AVE W</td>
</tr>
<tr>
<td>Location</td>
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<tr>
<td>COTTONWOOD</td>
<td>Cottonwood Hall—Husky Village</td>
<td>18626 Beardslee BLVD</td>
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<td>CP1</td>
<td>Central Plant Building 1</td>
<td>11125 NE 180th Street</td>
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<tr>
<td>DISC</td>
<td>Discovery Hall</td>
<td>11122 NE 180th Street</td>
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<td>DOGWOOD</td>
<td>Dogwood Hall—Husky Village</td>
<td>18620 Beardslee BLVD</td>
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<tr>
<td>ELC</td>
<td>Eastside Leadership Center</td>
<td>2515 140th AVE NE—Park 140, Suite E-100 (Bellevue)</td>
</tr>
<tr>
<td>FFT-LB2 102</td>
<td>Food for Thought Café &amp; Student Center</td>
<td>18325 Campus Way NE</td>
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<tr>
<td>FW</td>
<td>Facilities Warehouse</td>
<td>10700 Woodinville Drive</td>
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<tr>
<td>HAWTHORNE</td>
<td>Hawthorne Hall—Husky Village</td>
<td>18616 Beardslee BLVD</td>
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<tr>
<td>HUSKYHALL</td>
<td>Husky Hall</td>
<td>10909 NE 185th</td>
</tr>
<tr>
<td>HVCC</td>
<td>Husky Village Community Center</td>
<td>18612 Beardslee BLVD</td>
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<tr>
<td>LB1</td>
<td>Library Building 1</td>
<td>18225 Campus Way NE</td>
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<td>LB2</td>
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<td>TRULY</td>
<td>Truly House</td>
<td>18140 110th AVE NE</td>
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<td>UW1</td>
<td>UW Building 1 (Founders Hall)</td>
<td>18115 Campus Way NE</td>
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<td>UW2</td>
<td>UW Building 2 (Commons Hall)</td>
<td>11136 NE 180th Street</td>
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<td>UWBB</td>
<td>Beardslee Building</td>
<td>18807 Beardslee BLVD</td>
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<td>UWBX (ADMIN)</td>
<td>Bracket Building</td>
<td>19128 112th Street—Suite 102</td>
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<td>UWBX</td>
<td>Gateway Building</td>
<td>19116 Beardslee BLVD—Suite 101</td>
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<tr>
<td>WILLOW</td>
<td>Willow Hall—Husky Village</td>
<td>18906 NE 185th Street</td>
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**How to Contact Campus Safety**

Campus Safety Dispatch are available 24 hours a day, seven days a week. There are emergency phones located throughout the campus and parking structures. Pushing the button will connect you immediately to a Bothell Police Dispatcher. To report an incident:

1. If it is a life or death emergency, please call 911 first in order to initiate a Bothell Police or Fire response.

2. Call 425.352.5359 for on-campus Campus Safety emergency response, such as medical aid needed, or an assault. Or press the emergency button on a campus phone for direct-dial access. This same number (425.352.5359) can be used for on campus non-emergencies such as admits, lost and found inquiries, and general questions. You can also email the Campus Safety Department at: uwb-safety@uw.edu.
You can also visit our Campus Safety website, which includes services, responsibilities, and right-to-know information, is located at http://www.uwb.edu/safety.

**Services Offered**
The department offers a variety of services to best meet the needs of the campus community:

- Safety escorts (Safe Ride Program).
- Lost and found.
- Keycard and access control administration.
- Vehicle jump-starts.
- Traffic control.

During all student and parent orientations (approximately 25 per year), the Campus Safety Department provides information detailing the services offered by the Campus Safety Department. In addition, a campus safety video is also shown to answer common questions and provide crime prevention information. The campus safety video is located on the Campus Safety website at www.uwb.edu/safety. Also on the website are information on safety tips including the 60-day crime log to inform the campus community of on-campus incidents. Periodically throughout the year, the Campus Safety Department collaborates with the Bothell Police Department and Emergency Management to conduct “Donuts and Dialogue” and “Lunch with Campus Safety and Bothell Police” sessions to discuss various topics, including crime prevention, personal safety, emergency planning and sexual assault prevention. Additionally, Campus Safety provides the same information to staff and faculty members during new employee orientation and upon request by any department.

Cascadia College Faculty are asked to share videos with class at the start of every quarter. Videos are on Active shooter and earthquake situations. Caption from the email to faculty:

Finally, take a few moments to show Cascadia's emergency preparedness videos in class. Both are under two minutes and now have closed captioning. These videos are part of the college's overall effort to be prepared here on our campus.

Earthquake [https://www.youtube.com/watch?v=D4WxmopTtMg&list=UUQdsDfPTIA5HPSHMX78owsA](https://www.youtube.com/watch?v=D4WxmopTtMg&list=UUQdsDfPTIA5HPSHMX78owsA)

Active Shooter [https://www.youtube.com/watch?v=wZwa6P1A9-U&list=UUQdsDfPTIA5HPSHMX78owsA](https://www.youtube.com/watch?v=wZwa6P1A9-U&list=UUQdsDfPTIA5HPSHMX78owsA)
Reporting Crimes and Emergencies
Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to Campus Safety in a timely manner. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire campus community that you immediately report all incidents to the Campus Safety Department at (425) 352-5359 or call 911 to ensure an effective investigation and appropriate follow-up actions take place, including issuing a crime alert or emergency notification. This will also ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the campus community when appropriate.

Below is the Campus Safety Incident Report intake process. In addition, all criminal related incidents or emergencies occurring on campus may be referred to the Bothell Police or Fire department:

Campus Safety Incident Report Intake Process

<table>
<thead>
<tr>
<th>INCIDENT REPORT RECEIVED</th>
<th>LOG &amp; ASSIGNMENT</th>
<th>FULL INVESTIGATION</th>
<th>REVIEW AND PUBLISH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Incident reported via phone, in person or via officer reporting a concern</td>
<td>Dispatch logs incident and assigns to an officer to respond &amp; investigate &amp; may escalate to a supervisor as needed</td>
<td>Officer responds, investigates and completes report</td>
<td>Report is reviewed by a supervisor; all incidents are published on 60-day crime log/website with incident type, incident number, date/time, location &amp; disposition</td>
</tr>
</tbody>
</table>

Emergency Phones & Call Boxes
The UW Bothell / Cascadia College campus has 38 emergency phone towers/call boxes in place throughout the campus. The phones and call boxes are a direct 911 dial to the Bothell Police Department.
Medical Response
Students, faculty, staff and guests should report any medical emergency on campus to City of Bothell Fire & Emergency Medical Services immediately by dialing 911 on any campus landline telephone, activating an emergency blue phone tower on the campus grounds or by activating an emergency phone box located in the parking garages. Campus Safety should also be called at 425.352.5359 from a campus phone after the call to 911 is completed. All Campus Safety officers are trained in first aid and CPR.

Reporting to Other Campus Security Authorities
While the University strongly encourages community members to promptly report all crimes and other emergencies directly to Campus Safety or by calling 911 in an emergency, Campus Safety also recognizes that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain University officials and offices as “campus security authorities” (CSAs). The Act defines such an individual as:

- Campus Safety Officers and Dispatchers.
- 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 proceedings.
- An official defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.
- Any individual or organization specified in a statement of the University’s policies as a place to report criminal offenses.

In response to a call, Campus Safety may dispatch a Campus Safety officer, contact the Bothell Fire or Police department, request the victim make a police or Campus Safety report, or take other action as appropriate. Bothell Police will be the investigating agency for all misdemeanor and felony matters.

The institution will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University of Washington Bothell/Cascadia College against the student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased due to the crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.
Voluntary Confidential Reporting
If you are the victim of a crime and do not want to pursue action within the University of Washington Bothell/Cascadia College or criminal justice system, you may still want to consider making a confidential report. With your permission, the Director of Campus Safety or a designee can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, we can keep accurate records of the number of incidents involving students, staff and faculty, determine patterns in location, method, or subjects, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics.

Pastoral and Professional Counselors
According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by the University to serve in a counseling role are not considered Campus Security Authorities when they are acting in a counseling role. As a matter of policy, the University encourages pastoral and professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them for inclusion in the annual disclosure of crime statistics.

SECURITY AND ACCESS TO BUILDINGS
The University of Washington Bothell and Cascadia College campus is open to the public and is accessible 24 hours a day through roads leading onto campus, including the intersections of Beardslee Boulevard and 110th and Campus Way and State Route 522. Pedestrian access is available from the Sammamish River Trail and on 180th and 185th streets. All buildings on campus are secured at night and not open to the public at that time. Hours of operation for the buildings on campus vary from building to building, and the hours of certain individual buildings vary by time of year or academic term (such as the
library). The residence halls are restricted to residents, their guests and other approved members affiliated with the University of Washington Bothell community. Each resident has a key to access his/her residence hall. Guests of residents must be accompanied at all times by the resident whom they are visiting. The campus has well defined rules governing access to its facilities and building security.

Campus Safety officers patrol the campus by vehicle, on foot, and on bicycles. Campus Safety officers patrol both the interior and exterior of campus buildings and parking lots/garages and grounds.

The campus maintains facilities and landscaping in a manner that minimizes hazardous conditions. The Campus Safety department regularly patrols the campus and officers and report malfunctioning lights and other unsafe physical conditions to Facilities Services for correction. All members of the community can report equipment problems to Facilities Services through their website at: http://www.uwb.edu/facility.

The university's Residential Life program is designed to promote a safe and secure environment for residents. Entrances to all residential areas within residence hall buildings are locked on a 24-hour-a-day basis.

A Resident Adviser is on duty every night in each residence hall. A Resident Director, who responds to or consults on safety concerns in all the halls, is also on duty every night.

Members of the residence hall community are encouraged to assist in the protection of their and others' safety. The Residential Life staff also presents information and ongoing programs related to crime prevention, including personal safety seminars and engraving of personal property in partnership with the Campus Safety department. Residents are responsible for following safety practices to protect themselves and residences. The Campus Safety department patrols all housing units, including the Campus View Apartments. All campus housing is under the jurisdiction of the Bothell Police Department.

**TIMELY WARNINGS/PREPARATION AND REPORTING OF CRIME STATISTICS**

In the event that a situation arises either on or off campus that, in the judgment of the Campus Safety Director or designee constitutes an ongoing or continuous threat, a campus “timely warning” will be issued. The warning will be issued to students and employees in a timely manner, and it will withhold the names of victims as confidential. The goal of the warning is to aid in the prevention of similar occurrences. Depending on the particular circumstances of the crime, especially in situations that could pose an immediate threat to the community and individuals, the Campus Safety Department may employ a number of different mechanisms to notify the campus of the threat. The warning will be issued by the Campus Safety Department through the university email system to students, faculty, and staff, and will contain the following information: details of the crime, a description of the suspect, and information that will aid in the prevention of similar incidents to include safety information and protective steps.
The purpose of Crime Alerts is to notify the campus community of the incident in a timely manner and to provide information that may enable community members to protect themselves from similar incidents. Crime Alerts are issued whenever the following criteria are met:

- A crime is committed;
- The perpetrator has not been apprehended; and
- There is a substantial risk to the physical safety of other members of the campus community because of this crime.
- The University determines that the incident represents an ongoing threat to the campus community.

Such crimes are include, but are not limited to:

- One of the following Clery crimes that are reported in good faith to any campus security authority or the local police:
  - Criminal Homicide, including: Murder, Manslaughter by Negligence;
  - Sex Offenses, including Rape, Assault with Sexual Motives (Fondling), Incest, and Statutory Rape;
  - Robbery;
  - Aggravated Assault;
  - Major Incidents of Arson; and
  - All other Clery Crimes as deemed appropriate.

All available information known at the time will be taken into consideration when evaluating the need for a timely warning. Those considerations include, but are not limited to:

- The nature and seriousness of the crime,
- When and where the incident occurred,
- When it was reported,
- The duration of time between the victim and perpetrator,
- The patterns or trends of other incidents,
- The continuing danger to the campus community, and
- The risk of compromising law enforcement efforts or identifying the victim.

Although each case will be evaluated on an individual basis, timely warnings will not be issued when:

- A report is filed more than five (5) calendar days after the date of the alleged incident, unless it is determined that there is a continuing threat to the community;
- A report is filed anonymously or by a third party and there is not enough information to evaluate the situation;
- The pertinent information has not been acquired;
- The suspect has been apprehended;
- The report is made in good faith;
- There is a possible risk of compromising law enforcement efforts; or
• The incident reported does not pose an ongoing threat to the campus.

Anyone with information warranting a timely warning should report the circumstances to the Campus Safety Department by phone 425.352.5359, or in person at the Campus Safety office located at 18325 Campus Way NE in the LB2 building on campus. Information can also be reported to the Bothell Police department at 425.486.1254 or 911.

Campus Safety discloses all incidents reported to the department that fall into any of the required reporting classifications as a statistic in this annual brochure.

The Campus Safety Department culls the statistical data for this report from multiple sources, including the Campus Safety department's internal reporting system. The Campus Safety Department also requests statistical information from all campus security authorities (as defined by Federal law) and from deans, directors, and department heads. The campus security authorities include the professional counselors on campus who are not required to report but may do so voluntarily. Members of the community are encouraged to call the police to report crimes for this annual disclosure of crime statistics.

Local police departments where the campus has facilities or holds classes are also contacted for their crime statistics in the areas where UW Bothell/Cascadia College reside. Crime statistics are reported in the year they were reported in and not necessarily the year in which the incidents occurred.

This publication contains information about on and off campus resources, and the campus makes this publication available to all campus community members. Offices listed are not crime reporting entities for the campus and all crimes should be reported to Campus Safety to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community when appropriate. Campus Safety submits the annual crime statistics to the Department of Education, which are available to the public on the Department of Education's website. The campus notifies enrolled students and current employees on an annual basis either electronically or via an email. This brochure can be found online at: http://www.uwb.edu/safety/clery.

**EMERGENCY MANAGEMENT**

The University of Washington Bothell regularly updates and revises the UW Bothell/Cascadia College Campus' All-Hazards Emergency Management Plan. This Plan is a campus guide for management and coordination of all phases of emergency operations in the event of major events and crises that affect the campus, including major natural, technological and human-caused disasters. The plan was developed to minimize the impacts of emergencies and disasters, protect the people, property, and environment, and restore the primary mission of the university. The plan meets all state and federal requirements. Campus departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of operation. For assistance on campus-wide emergency planning and coordination,
EMERGENCY RESPONSE AND COMMUNITY NOTIFICATION OF IMMEDIATE THREAT

The campus authorities will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving immediate threat to the health and safety of student and employees occurring on campus. An “immediate threat” is a significant emergency or dangerous situation on campus involving imminent danger to the health and/or safety of students, faculty, staff or guests, such as a natural disaster, act of terrorism or an active shooter. When a serious threat to campus safety occurs, UW Bothell Campus Safety coordinates with other first responders, which might include Bothell Fire, Bothell Police, and UW Bothell Emergency Management to properly mitigate the threat to the campus. Depending on the nature and size of the incident, other local, state and federal agencies might be called upon to assist.

UW Bothell Campus Safety works in close collaboration with agencies and departments, both on and off campus (including but not limited to the Bothell Police Department, Bothell Fire Department, UW SafeCampus and others) to gather and assess information related to events that may pose an immediate threat or hazard to the university community. Campus Safety, as first responders, will investigate all reported incidents and determine if the incident poses an immediate or ongoing threat to the university community. If the incident is confirmed as posing an immediate or ongoing threat through the responding officer’s assessment on-scene, she/he will notify the on-duty supervisor who will implement the UW Bothell Alert notification system. In some cases, an immediate threat may be confirmed by another agency, such as the National Weather Service (e.g., in cases of extreme weather), Emergency Preparedness/Fire Life Safety Manager (e.g., in cases of hazardous materials spills).

The on-duty supervisor will notify the Campus Safety Director or his/her designee. The Director may collaborate with Campus Administration to determine the content of Community Notification of Immediate Threats message to be disseminated to the campus community; some of the content is pre-approved and already written. Notifications can be communicated through a variety of communications media, the centerpiece of which is UW Bothell/Cascadia Alert, a text messaging and email capability that is the fastest way to inform people about an emergency situation.

UW Bothell / Cascadia Alert messages are also sent via Twitter and Facebook. Notices to both the UW Bothell’s and Cascadia College home page supplement these key elements. If a threat is limited to a particular area or particular group of persons, the campus may elect to send notifications only to those it believes may be affected. The Director or his/her designee or any member of the Crisis Communication team may collaborate to make this determination without delay and taking into account the safety of the community. The Campus Safety Director, Public Information Officer, Emergency Preparedness/Fire Life Safety Manager will initiate the Notification system, unless issuing such would, in the judgment of first responders,
compromise efforts to assist a victim or contain, respond to or otherwise mitigate the emergency.

**ALERTUS Desktop Notification System**
The ALERTUS notification system provides a comprehensive in-building mass notification system that notifies individuals across all UW Bothell campus buildings using an emergency notification screen on active computer desktops. The UWB Director of Digital Communications, Cascadia College VP of College Relations & Advancement, Director of Campus Safety, Emergency Preparedness Manager, AVC of Facility Services and any on duty Campus Safety Dispatcher, can initiate the ALERTUS notification.

**Campus Fire Alarm Public Address System**
The Fire Alarm Control Panel located in Campus Safety can be used to make a verbal announcement to the following buildings on campus: UW1, UW2, UW3, CC1, CC2, CC3, The ARC, Library buildings- LB1, LB2, LBA, NCEC, Physical Plant, and Sarah Simmons Conservatory. The PA notification can be initiated by the UWB Director of Digital Communications, Cascadia College VP of College Relations & Advancement, Director of Campus Safety, Emergency Preparedness Manager, AVC of Facility Services and any on duty Campus Safety Dispatcher or Officer.

**“Campus All” Radio Channel**
Many departments on the UW Bothell campus use a radio to communicate among themselves for day to day operations. In the event of an incident, the “Campus All” channel can be used to broadcast a message to all active radios regardless of the frequency the radio is currently on at the time. The “Campus ALL “radio notification can be initiated by the UWB Director of Digital Communications, Cascadia College VP of College Relations & Advancement, Director of Campus Safety, Emergency Preparedness Manager, AVC of Facility Services and any on duty Campus Safety Dispatcher or Officer.

Updates to the emergency situation are posted as a banner on the university Web site, announced through the public address system and/or through official messages disseminated through the local media. The University of Washington Bothell has developed UW Bothell Alert System to disseminate official information during emergencies or crisis situations that may disrupt the normal operation of the UW Bothell or threaten the health or safety of members of the community. UW Bothell Alert is offered on a voluntary, self-subscription basis for current UW faculty, staff and students at UW Bothell: [http://www.uwb.edu/admin/emergency](http://www.uwb.edu/admin/emergency).

All community members are encouraged to notify Bothell PD or Bothell Fire and Campus Safety of any situation on campus that could constitute a significant emergency or dangerous situation involving an immediate or on-going threat to the community. The Campus Safety department is responsible for responding to and summoning necessary resources to mitigate, investigate and contain situations that pose a potential threat to our community. The law requires that the community be notified of such threats. Testing of these systems are conducted on a quarterly basis.
EMERGENCY EVACUATION

UW Bothell’s All Hazards Emergency Plan outlines procedures and provides information to help units plan for campus-wide major incidents, whether human caused or natural, that may affect the campus briefly, or for an extended period of time (several hours to days or longer). UW Bothell Emergency Management (UWBEM) coordinates campus-level emergency planning, mitigation, preparedness, and response and recovery efforts. Additionally, UWBEM acts as the primary liaison between the campus and other outside government (city, county, state) emergency management agencies. UWBEM will centralize all campus-wide emergency/disaster plans, training and exercises.

University of Washington Bothell Emergency Management promotes building emergency evacuation planning and provides model-building evacuation plans and assists academic departments to develop specific emergency plans for their buildings. The model evacuation plan includes procedures for all anticipated building emergencies, and accounts for persons with disabilities. The purpose is to help assure that departments take appropriate action, evacuate, account for personnel, and communicate with emergency services.

If an incident occurs in your building that you believe may affect the safety, health and well-being of its occupants or nearby population (whether earthquake, hazardous materials spill, accidental/malicious explosions, violence, etc.) follow the evacuations procedures for your building. Emergency first responders (including but not limited to Bothell Police, Bothell Fire and/or other local emergency responders) or a University official (in person or via UW BOTHELL Alert, campus emergency phone towers or other electronic notification methods) can update evacuees whether it is safe to partially or fully re-occupy a building or whether the plan is to seek safe shelter at other locations. Due to the unpredictable nature of emergency situations, such as active violence or a damaged building beyond safe evacuation, occupants of a building may need to shelter in place for their personal safety. Any emergency situation can be dynamic and prevent you from following exact evacuation routes prescribed for your building; variance may be required for safety. In the examples of active violence (e.g., a shooting happening right now) or an earthquake where a route may be impassable evacuees may have to alter their evacuation route for safety. Evacuees should follow the directions of emergency first responders (police or fire) when they encounter them on scene. Specific instruction may be given to report to a building assembly point or evacuate the campus entirely. Alternately, instruction may be given to the UW Bothell /Cascadia College Campus and the general public to take shelter where they are (shelter-in-place) or at a designated area or building.
Emergency Evacuation Assistance Stations
Emergency Assistance Stations (EAS) are devices that allow verbal communication directly with UW Bothell Campus Safety Dispatch. The system also allows the dispatcher to talk with the person that is in the area of the EAS devices. EAS devices are located in UW1, UW2, Discovery Hall, CC1 and CC2. When these stations are activated they provide immediate verbal contact.

Emergency Evacuation Training
UW Bothell Emergency Management (UWBEM) promotes an annual announced earthquake preparedness drill each academic year. All Faculty, staff and students are encouraged to participate. As part of this drill units are instructed to drop, cover and hold. Units may also evacuate, assemble outside and exercise communication procedures.

UWBEM conducts an annual Emergency Operations Center (EOC) functional drill each academic year as the official campus-level drill for the UW Bothell and Cascadia College. The EOC is staffed by various departments of the campus and practices the steps needed to safely evacuate or shelter the campus population during the functional drill. The observations and findings of the annual EOC drill are compiled into an official report that is sent to the local Emergency Management Planning Committee (EMPC) and dispensed through that committee to the UW Bothell/Cascadia College and the general public emergency management offices.

Students, faculty, staff and other employees of the University are invited to participate in both annual and regular preparedness training offered by UWBEM via the EMPC. The EMPC has a membership from dozens of campus departments, clubs and/or interests ranging from Student Life all the way up to the Office of the Chancellor. UWBEM trains on topics to practice inter-agency emergency response on or near campus.

UWBEM provides training to Housing Resident Advisors (RAs) and Resident Directors on emergency procedures, fire safety systems and evacuation planning during the annual UW Bothell Fire Academy in September of each year. The RAs, in turn, educate the students on evacuation procedures during their residence hall meetings at the start of each school year. These procedures are reviewed and practiced during each emergency drill. UWBEM and Campus Safety, conducts unannounced evacuation drills for the residence halls each quarter. The first emergency drill is conducted within ten days of the beginning of classes. These drills include Housing staff and are periodically attended by the Bothell Fire Department (BFD). BFD responds to all building alarms and will be on scene to communicate with Campus Safety, students and staff. UWBEM also provides training to academic departments for evacuation wardens and assists departments in conducting evacuation drills across campus. UWBEM will critique the drill and provide feedback. Participation among academic buildings varies. All major buildings are posted with emergency and evacuation procedures and evacuation route maps that illustrate the outdoor assembly point.
Testing of Procedures
The UW Bothell and Cascadia College conducts annual emergency response and building emergency evacuation exercises for each building, including tabletop exercises, field exercises and tests of the emergency notifications systems on campus. These tests help to assess and evaluate emergency response plans. Some tests are announced beforehand and some are unannounced. UW Bothell Emergency Management conducts drills throughout the year and drafts extensive follow-up reports assessing the university's capabilities. UWBEM also maintains guidelines and provides training, consultation and support for building emergencies. The report compiles building evacuation drill results and shares the results with appropriate campus partners.

INSTITUTIONAL POLICIES

Weapons Policy
The possession or use of firearms, explosives, dangerous chemicals or other dangerous weapons or instrumentalities on the University of Washington Bothell/Cascadia College campus, except for authorized campus purposes, is prohibited by WAC 478-124-020(2)(e), 478-120-020(3)(f), WAC 132Z-115-090(18), and WAC 132Z-115-025(16).

Cascadia College Alcohol and Illegal Drugs
Cascadia College maintains a drug-free learning environment and provides support for those who need it.

Drug-Free Schools and Campuses Act:
http://www.cascadia.edu/academic_resources/handbook.aspx


In compliance with the Drug-Free Schools and Campuses Act (EDGAR 34 CFR, Part 86), Cascadia annually distributes the following information to students and staff:

- Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol on school property or as part of school activities

- Cascadia’s Student Code of Conduct Washington Administrative Code WAC 132Z-115-090, (10) prohibits students from “The possession, use, sale, or distribution of any alcoholic beverage or illegal drug on the college campus; or while attending a college-sponsored event on non-college property”
• Administrative Procedure 6.3.110.08 prohibits employees from manufacturing, distributing, dispensing, possessing, or using a controlled substance.

• Cascadia maintains a referral list of agencies and individuals providing support services to students struggling with drug and/or alcohol use/abuse. Such referrals can be accessed by contacting the Kodiak Corner front counter at (425) 352-8860.

• A description of the applicable legal sanctions and disciplinary actions.

• Cascadia’s Student Code of Conduct (WAC 132Z-115-070) states that “Students may be accountable both to civil authorities and to the college for acts that constitute violations of law and of this code. Disciplinary action at the college will normally proceed during the pendency of criminal proceedings and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.” Aside from any criminal proceedings, the college may impose sanctions ranging from a verbal warning to dismissal, as outlined in WAC 132Z-115-120, (4).

• Administrative procedure 6.3.110.08 outlines the sanctions for employees found to have violated provisions of the Drug-Free Schools and Campuses Act. The policy reads, “Violation of this policy will be reason for disciplinary action up to and including dismissal, or for mandatory evaluation treatment for substance abuse.”

• A description of any drug or alcohol counseling, treatment, or rehabilitation/re-entry programs.

• Administrative procedure 6.3.110.08 states that “Cascadia College recognizes drug use and/or dependency to be a health, safety, and security problem,” and offers employees assistance through the State Employee Advisory Services and/or employee medical insurance plans.

With a view toward ensuring the safety and well-being of faculty, staff, students and the general public, the campus is committed to maintaining an environment that is free of illicit drugs (or controlled substances) and alcohol. Accordingly, the consumption of alcoholic beverages by students and employees on campus property, except in accordance with appropriate State of Washington liquor license procedures, is prohibited. Further, the unlawful possession, use, distribution or manufacture of alcohol or controlled substances (as defined in Chapter 69.50 RCW) on the university campus or during university-sponsored activities is prohibited (Chapter 478-124 WAC). Violation of these alcohol and drug prohibitions will be the basis for university disciplinary or other appropriate action.

Generally, possession, sale and consumption of alcoholic beverages are not permitted on campus.

The exceptions are:
1. Meetings or other functions when a state banquet permit has been obtained - applications are available in the Office of the Committee on the Use of University Facilities and the permit is issued pursuant to regulations of the university and the Washington State Liquor Control Board, or
2. By those of legal drinking age in residence hall rooms or apartments with the doors closed. Kegs or other common-source containers are never allowed in the residence halls. As prescribed by state law, it is illegal to sell alcohol without a permit, and no one under age 21 is permitted to consume alcohol.

THE UNIVERSITY OF WASHINGTON DRUG ABUSE POLICY

The Alcohol and Drug Abuse Policy of the University of Washington is found in the Administrative Policy Statement 13.7, copies of which are available online and can be found here by clicking on this link: http://www.washington.edu/admin/rules/policies/APS/13.07.html. The Alcohol and Drug Abuse Policy of the University of Washington is found in the

Policy
To help ensure the safety and well-being of employees, students, volunteers, and the general public, the University of Washington is committed to maintaining a campus environment that is free of illegal drugs, and of drugs and alcohol that are used illegally. Accordingly, the University prohibits the consuming of alcoholic beverages on University property, except in accordance with state of Washington liquor license procedures. Under WAC 478-121-115, 478-121-127, and 478-124-020 (2)(f), the University also prohibits the unlawful possession, use, distribution, or manufacture of alcohol or controlled substances that are illegal under federal, state, or local law on University property or during University-sponsored activities. Violation of the University's alcohol and drug prohibitions is cause for disciplinary or other appropriate action.

These provisions are in accordance with the requirements of the federal Drug-Free Schools and Communities Act Amendments of 1989, and the Drug-Free Workplace Act of 1988.

Health Risks and Sanctions
Employees, students, and volunteers should be aware that:

It can be dangerous to use and abuse alcohol and other drugs; and

Many illnesses and deaths have been medically-related to the use and abuse of illegal drugs and alcohol; and

The University has declared itself to be a drug-free work and educational environment; and

Employees, students, and volunteers who are found to be in violation of federal, state, or local law prohibiting the use or possession of illegal drugs may be subject to arrest and conviction
under the applicable criminal laws of local municipalities, the state of Washington, or the United States. Conviction can result in sanctions including probation, fines, and imprisonment. The University will assist employees, students, or volunteers who disclose that they have an alcohol or drug abuse problem by making referral for treatment and/or as described below in Section 3; however, those individuals remain responsible for resolving any alcohol or drug abuse problems they may have. Employees and volunteers who violate this policy are subject to disciplinary action, including termination, and referral for prosecution. Employees who are convicted of a criminal drug violation in the workplace must notify their supervisor within five calendar days. Students who violate this policy are subject to disciplinary sanctions including: warning and reprimand, disciplinary probation, suspension, or dismissal in accordance with the Student Conduct Code (Chapter 478-121 WAC).

**Information and Available Services**

The University recognizes that alcoholism and drug abuse are treatable illnesses, and encourages employees, students, and volunteers who may have alcohol or drug abuse problems to seek treatment for them. Any employee afflicted by alcoholism or drug dependency will have the same options as those with other illnesses do to participate in prescribed treatment programs, including the use of paid leave, if available, and unpaid leave.

Employees and students with health insurance should consult their health insurance plan to determine the treatment program coverage that may be available to them.

The following support services may be available to University employees, students, and volunteers:

**Community Referral Information**

University employees, students, and volunteers may call the Washington Recovery Help Line, which provides 24-hour help for substance abuse and related problems, and can be reached at 866.789.1511. The [Washington Recovery Help Line](http://www.recoveryhelpline.com) website contains information about and links to recovery resources. Also available online is a [Directory of Certified Chemical Dependency Services in Washington State](http://www.wsdd.state.wa.us), published by the state Department of Social and Health Services.

**UW CareLink Employee Assistance Program**

[UW CareLink](http://uwcarelink.com) provides employee assistance services for benefits-eligible employees, their dependents, and their family or household members in any location nationwide. UW CareLink can assist employees with:

- Confidential counseling;
- Legal and financial services; and
- Critical incident assistance and debriefing.
For an appointment, call toll free: 866.598.3978 (TTY 1.877.334.0489).

**Alcoholics Anonymous**
Several campus chapters meet weekly and are open to all University employees and students. Strict confidentiality is maintained. For information, phone 206.543.9198.

**The University of Washington's Alcohol and Drug Abuse Institute**
The [Alcohol and Drug Abuse Institute](#) (ADAI) provides general information on research in the areas of alcoholism and drug abuse, and available community resources. The [ADAI Clearinghouse](#) provides free materials about drug and alcohol prevention to individuals, parents, and community groups in Washington State. For information, phone 206.543.0937.

**Human Resources and Academic Human Resources Consultants**
Human Resources Consultants are available to provide general information on University and other resources to help address alcohol and drug abuse problems, and to assist employees and supervisors to address and resolve job performance or workplace behavior problems. Academic Human Resources is available to provide assistance regarding alcohol and drug abuse problems involving academic personnel.

**Student Assistance Programs**
Assistance programs are made available to students through the following units:

**UW Bothell**
- [Peer Health Education Group (HEROs)](#), phone 425.352.5266
- [Student Counseling Services](#), phone 425.352.3183

**UW Seattle**
- [Counseling Center](#), phone 206.543.1240
- [Hall Health Center](#), phone 206.685.1011
- [Health and Wellness](#) (Division of Student Life), phone 206.543.6085
- [Wellness Resource Center](#) in the Hall Health Center, phone 206.616.8476

**UW Tacoma**
- [Student Counseling Center](#), phone 253.692.4522
- [Student Health Services](#), phone 253.692.5811

Students and employees who are found to be in violation of this stated prohibition may be subject to arrest and conviction under the applicable criminal laws of local municipalities, the
State of Washington or the United States. Conviction can result in sanctions including probation, fines and imprisonment. Students found in violation of this stated prohibition are also subject to discipline in accordance with the requirements and procedures of the Student Conduct Code (CH. 478-120 WAC). Discipline may include probation or dismissal from the university.

Campus Safety with the assistance of Bothell PD enforces all federal, state, local and campus regulations governing drugs and alcohol. Underage drinking is not tolerated and laws governing such will be enforced, including arrest, citation and/or referral to the Office of Community Standards and Student Conduct Codes. The Alcohol and Drug Abuse Policy of the University of Washington is found in the Administrative Policy Statement, D 13.7, copies of which are available online at www.uw.edu/admin/rules/APS/13.07.html. Students and employees who are found to be in violation of this stated prohibition may be subject to arrest and conviction under the applicable criminal laws of local municipalities, the State of Washington or the United States. Conviction can result in sanctions including probation, fines and imprisonment. Students found in violation of this stated prohibition are also subject to discipline in accordance with the requirements and procedures of the Student Conduct Codes of the University of Washington Bothell and Cascadia College. Discipline may include probation or dismissal from the University.

**POLICY STATEMENTS RELATING TO SEXUAL ASSAULT, SEXUAL HARASSMENT DOMESTIC VIOLENCE, RELATIONSHIP VIOLENCE AND STALKING**

The University of Washington is committed to establishing and maintaining a safe working and learning environment that is free from violence. The University has published policies that describe its prevention and response processes, which include:

*Chapter 478-120 WAC – Student Conduct Code for the University of Washington*

*Student Governance and Policies Chapter 209- Student Conduct Policy for Academic Misconduct and Behavioral Misconduct* – effective 8/18/17

*Student Governance and Policies Chapter 210 - Student Conduct Policy for Discriminatory and Sexual Harassment, Intimate Partner Violence, Sexual Misconduct, Stalking and Retaliation* – effective 8/18/17

*Chapter 478-121 WAC - Student Conduct Code for the University of Washington* – effective 8/18/17

*Chapter 132Z-115 WAC – Student Conduct code for Cascadia College* and http://www.cascadia.edu/academic_resources/handbook.aspx

Pursuant to chapter 34.05 RCW and the authority granted by RCW 28B.20.130, the board of regents of the University of Washington established rules under the Washington Administrative Code regarding student conduct and student discipline.

Sexual misconduct is prohibited by the code, which includes committing, or aiding, soliciting, or attempting the commission of, the following prohibited conduct: Sexual assault, sexual harassment, sexual exploitation, indecent exposure, relationship violence, stalking, and domestic violence. The code also prohibits retaliation against those who file a complaint,
grievance, or allegation of misconduct under any university policy or rule or under any law; participate in and/or cooperates with an investigation; appears as a witness at a hearing; or opposes an unlawful act, discriminatory practice, or policy.

The University has been in the process of revising the Student Conduct Code to reflect the University’s compliance with developing laws, regulations, and guidance, particularly relating to adjudicating sexual misconduct matters. Supplementary provisions relating to sexual misconduct were made effective June 30, 2015 as temporary, emergency rules, which augmented and clarified sexual misconduct as prohibited conduct under the code. These supplementary provisions were incorporated into the conduct code along with other revisions to the chapter effective March 28, 2016 as final rules. Effective August 18, 2017, the University has a new Student Conduct Code and two companion policies.

**Executive Order No. 31 – Non-discrimination and Affirmative Action**

This policy has the goal of promoting an environment that is free of discrimination, harassment, and retaliation. It prohibits sexual harassment, which is unwelcome and unsolicited language or conduct that is of a sexual nature and that is sufficiently severe, persistent, or pervasive that it could reasonably be expected to create an intimidating, hostile, or offensive working or learning environment, or has the purpose or effect of unreasonably interfering with an individual's academic or work performance. This policy was revised effective June 21, 2016, to clarify that it also covers sexual violence, such as sexual assault and sexual exploitation and to clarify the intersection of this policy with Executive Order No. 51 – Sexual Violence Elimination.

**Administrative Policy Statement (APS) 11.7**

This policy prohibits domestic violence in the workplace and outlines prohibited behavior and University notifications, response and resources. It also, in accordance with state law, provides reasonable leave from work, intermittent leave, or leave on a reduced schedule so that an employee who is a victim of domestic violence, sexual assault, or stalking, or who has a family member who is a victim of domestic violence, sexual assault, or stalking to seek legal or law enforcement assistance, seek treatment by a health care provider, obtain or assist a family member to obtain mental health counseling, participate in safety planning to temporarily or permanently relocate or take other safety-related action to provide for the employee or family member's safety.

**Administrative Policy Statement 11.8 – Reporting Suspected Child Abuse or Neglect**
This policy prohibits child abuse. Suspected perpetrators of child abuse, including University employees, volunteers, or students, may be removed from the premises and may be subject to arrest and criminal prosecution. Employees, volunteers, or students who engage in child abuse in the workplace, or who use University facilities, property, or resources to engage in child abuse are subject to disciplinary action, including dismissal from employment, engagement, or from educational programs. Additionally, all University employees and volunteers who have reasonable cause to believe that a child has suffered abuse or neglect must immediately report the suspected abuse or neglect to law enforcement or the Department of Social and Health Services. A child is anyone under the age of 18.

**Workplace Violence Policy**

The University’s Workplace Violence policy prohibits behavior, whether direct or through the use of University facilities, property or resources that: Is violent; Threatens to harm; Harasses or intimidates others; interferes with an individual’s legal rights of movement or expression; disrupts the workplace, the academic environment or the University’s ability to provide services to the public. These behaviors include relationship violence and stalking.

**Executive Order No. 51 – Sexual Violence Elimination**

This presidential policy prohibits the following behavior by members of the University community including students, employees, and members of the public when the University determines that an individual’s behavior affects a University interest:

- Domestic violence;
- Relationship violence;
- Stalking; and
- Sexual assault.

The policy also prohibits retaliation against any individual who seeks resources, makes a referral, reports concerns, or who cooperates with or participates in any investigation of allegations of violations of this policy, or who is perceived to have engaged in any of these actions. This policy became effective June 26, 2016, to comply with the Clery Act, including clarifying institutional definitions relating to sexual misconduct, describing reporting options and grievance processes, and identifying the University’s confidential advocates.

**Definitions under the Violence Against Women Act**

*The definition (from VAWA) of dating violence.*

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.

A. 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.

B. For the purposes of this definition:
1. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
2. Dating violence does not include acts covered under the definition of domestic violence.

The definition (from VAWA) of domestic violence.

Domestic Violence - A felony or misdemeanor crime of violence committed:

A. By a current or former spouse or intimate partner of the victim;
B. By a person with whom the victim shares a child in common;
C. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
D. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
E. 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.

The definition (from VAWA) of sexual assault.

Sexual Assault – An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.” North Carolina General Statutes do not specifically define consent.

A. Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object or oral penetration by a sex organ of another person, without consent of the victim.
B. Fondling: The touching of the private 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.
C. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
D. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

The definition (from VAWA) of stalking.

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

A. Fear for the person’s safety or the safety of others; or
B. Suffer substantial emotional distress.
1. 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.
2. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
3. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

**Definitions under Washington State Criminal Code**
The University prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as defined in the Clery Act. Additionally, these behaviors may be crimes under the Washington State Criminal Code. Following are the relevant definitions under the criminal code:

**Sexual Assault and Consent**
Under Washington State criminal law, there is no crime of “sexual assault.” Instead, crimes are classified as “Sexual Offenses.” Another classification is “Assault,” which also governs assault with a sexual motivation. See RCW 70.125.030(7) – “Sexual assault.”

The following are the definitions of rape crimes under Washington State criminal law:

**RCW 9A.44.040 – Rape in the first degree**

(1) A person is guilty of rape in the first degree when such person engages in sexual intercourse with another person by forcible compulsion where the perpetrator or an accessory:
   (a) Uses or threatens to use a deadly weapon or what appears to be a deadly weapon; or
   (b) Kidnaps the victim; or
   (c) Inflicts serious physical injury, including but not limited to physical injury which renders the victim unconscious; or
   (d) Feloniously enters into the building or vehicle where the victim is situated.

**RCW 9A.44.050(1)(b) – Rape in the 2nd Degree**

(1) A person is guilty of rape in the second degree when, under circumstances not constituting rape in the first degree, the person engages in sexual intercourse with another person:
   (a) By forcible compulsion;
   (b) When the victim is incapable of consent by reason of being physically helpless or mentally incapacitated...

**RCW 9A.44.060 – Rape in the third degree**
(1) A person is guilty of rape in the third degree when, under circumstances not constituting rape in the first or second degrees, such person engages in sexual intercourse with another person:
(a) Where the victim did not consent as defined in RCW 9A.44.010(7), to sexual intercourse with the perpetrator and such lack of consent was clearly expressed by the victim’s words or conduct, or
(b) Where there is threat of substantial unlawful harm to property rights of the victim.

RCW 9A.44.010(7) – Consent “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.

*It should be noted that the University’s definition of “consent” is the same as the RCW 9A.44.010(7).*

RCW 9A.44.100 – Indecent liberties [Paraphrase] A victim is incapable of giving consent when physically helpless or mentally incapacitated.

**Domestic Violence and Dating (Relationship) Violence**

*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
- The frequency of interaction between the persons involved in the relationship

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. This does not include acts covered under the definition of domestic violence.

**Domestic Violence:** A felony or misdemeanor crime of violence committed by:

A. By a current or former spouse or intimate partner of the victim;
B. By a person with whom the victim shares a child in common;
C. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
D. 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 of violence occurred; or
E. 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.

The Washington State Criminal Code does not contain a separate crime of “domestic violence” or “dating violence.” Instead, crimes relating to domestic violence and dating violence are covered by other provisions of the criminal code, such as “Sexual Offenses” or “Assault” crimes. The law is gender neutral and recognizes that domestic violence occurs between members of the same or any sex.
RCW 26.50.010 – Domestic violence

(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.

“Family or household members” means spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

“Dating relationship” means a social relationship of a romantic nature. Factors 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.

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

A. Fear for the person’s safety or the safety of others; or
B. Suffer substantial emotional stress.

For the purposes of this definition:

1) Course of Conduct means two or more acts, including, but not limited to, acts 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.

2) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

The crime of “stalking” is defined in RCW 9A.46.110 under the classification of crimes of “Harassment.” There is also a separate crime of “cyberstalking” under RCW 9.61.260 (the Malicious Mischief-Injury to Property crimes).
RCW 9A.46.110(1) – Stalking

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.

RCW 9.61.260(1) – Cyberstalking

A person is guilty of cyberstalking if he or she, with intent to harass, intimidate, torment, or embarrass any other person, and under circumstances not constituting telephone harassment, makes an electronic communication to such other person or a third party:

a. Using any lewd, lascivious, indecent, or obscene words, images, or language, or suggesting the commission of any lewd or lascivious act;

b. Anonymously or repeatedly whether or not conversation occurs; or

c. Threatening to inflict injury on the person or property of the person called or any member of his or her family or household...

(5) For purposes of this section, “electronic communication” means the transmission of information by wire, radio, optical cable, electromagnetic, or other similar means. “Electronic communication” includes, but is not limited to, electronic mail, internet-based communications, pager service, and electronic text messaging.

Educational Programs and Campaigns

The University is committed to providing prevention and awareness programs to students and employees relating to domestic violence, relationship violence, stalking, sexual assault, and retaliation. These include primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees. These programs and campaigns include information about:

- University policies prohibiting domestic violence, relationship violence, stalking and sexual assault;
- The Revised Code of Washington definitions of domestic violence, relationship violence, stalking, sexual assault, and consent;
• Bystander intervention techniques;
• Risk reduction options to reduce perpetration and increase individual and community safety, and to empower individuals to act on their own behalves; and
• The rights, processes, and resources provided by the university.

These educational programs are evidence-based, culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome. These programs consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Health & Wellness

Health & Wellness provides support, advocacy, consultation, and education to the university campus community. Health & Wellness programs include Alcohol & Other Drug Consultation and Education, Suicide Intervention, Sexual Assault, Relationship Violence, Stalking and Harassment Advocacy and Support, and a general Student Care Program.

Regularly-offered educational programs include the Relationship Skills and Consent Workshop, Sexual Assault and Relationship Violence Prevention, and Alcohol and Other Drug Education. Health & Wellness also consults with departments to help them create comprehensive education plans for their communities. They also participate in campus wide events and programming for the university community and provide state-wide leadership in the field of prevention and education.

Bystander Intervention

Health & Wellness also facilitates the university’s participation in the Green Dot program which provides training courses designed to address and prevent power-based interpersonal violence, including sexual violence. The aim of Green Dot is to engage students as active bystanders who step in, speak up, and interrupt potential acts of violence. Green Dot seeks the participation of students, staff, and faculty to encourage them to foster a culture that is less tolerant of interpersonal violence. Green Dot trainings are free and offered regularly on campus for students, staff and faculty.

Peer Health Educators

The Peer Health Educator (PHE) program in Health & Wellness is a group of student staff and volunteers who facilitate workshops and events around campus on the topics of mental health, interpersonal violence prevention and alcohol and other drug education. PHEs offer a workshop titled “Let’s Talk About Mental Health” and provide resource tables during campus events. PHEs also collaborate with the UW Greek Community to address and prevent sexual violence in that community. PHEs organize a one-week celebration in the spring called “Sextravaganza” which includes panels and events relating to healthy sexual relationships.

Resources for Cascadia College
http://www.cascadia.edu/advising/relationshipviolence.aspx
The primary prevention and awareness program for students is an online class that Cascadia participates with the SBCTC offered by Campus Clarity. The course is emailed to students during their first quarter at Cascadia. Completion is not mandatory. [https://home.campusclarity.com/](https://home.campusclarity.com/)

First Year Programs
First Year Programs offers a new student orientation for all incoming undergraduate and transfer students. The 2016-2017 orientation included in-depth programming emphasizing bystander intervention, alcohol and other drug education, and consent. International students also participate in an additional orientation session. All orientation leaders complete training on bystander intervention, alcohol and other drug education, and consent. All new undergraduate students also receive a student planner with information about University policies, procedures and other pertinent information.

Throughout their first year at the university, students can participate in First-year Interest Groups (FIGS) covering a wide variety of specialized topics.

Inter-collegiate Athletics
The university provides regular training and educational programs designed for its student athletes relating to sexual violence, healthy relationships, alcohol and drug abuse, consent, and interpersonal violence. The UW Bothell/Cascadia campus currently participates in intramural sports programs, and does not have any inter-collegiate athletic relations.

Fraternities and Sororities
Although fraternities and sororities are independent organizations located off-campus on property not owned or controlled by the university, there has been a long-standing and positive relationship between the university and the Greek Community. The university enters recognition agreements with fraternities and sororities that seek official recognition by UW. For the past four years, the university's recognition agreements have included an educational programming section requiring each chapter to conduct at least one educational program on sexual assault and relationship violence and one program on controlled substance abuse awareness. The UW Bothell/Cascadia campus currently does have any recognized fraternities or sororities.

Graduate and Professional Students
The Center for Teaching and Learning (CTL) provides information relating to policies and professionalism for all Teaching Assistants and Research Assistants, including informational videos that all new TAs and RAs are expected to view covering sexual violence and sexual assault.

Additionally, many graduate and professional programs conduct their own new student orientations which include prevention of sexual harassment and sexual violence, which are presented by Human Resources, the Title IX Coordinator, and/or SafeCampus. The University is currently developing a more comprehensive program for all graduate and professional students.

Sexual Harassment Prevention
Human Resources provides a New Employee Orientation and an in-person Prevention of Sexual Harassment training for all new staff members, which they are expected to complete within two months of hire. The program introduces new employees to the University’s culture, shared values, leadership and key University policies. This program is being enhanced to offer an online option, which is currently being piloted to several offices at the University and expected to launch by the end of 2017 or in early 2018.

Additionally, individual schools, colleges, and administrative departments offer their own training programs for new employees and current employees. The University is developed an online “Prevention of Sex Discrimination and Sexual Harassment in Academic Programs” training that was launched in June 2017.

Other educational programs have been developed through a collaboration with Health & Wellness and SafeCampus emphasizing university employees in roles that have a high degree of interaction with students.

**Procedures Victims Should Follow in the Case of Alleged Dating Violence, Domestic Violence, Sexual Assault, or Stalking**

The University has created a [Sexual Assault Resource](#) website for those impacted by sexual assault, dating/relationship violence, domestic violence, or stalking. This website is intended to provide comprehensive information about the available resources, reporting options, and university response policies and procedures. The following are the steps an individual who has experienced sexual misconduct may take.

*Contact the University’s Confidential Advocates*

You are urged to contact one of the university’s confidential advocates, who can provide a private place for you to seek support, information, and assistance. They can also provide you with support in taking any or all of the following steps.

Disclosures made to a confidential advocate do not constitute a report to the University for the purposes of initiating an investigation. You have the right to report sexual misconduct to the University, to the police, to both or not at all. If they do choose to report to the police or the university, the advocates can provide you with information and support in reporting.

The advocates can also assist with how to apply for Orders of Protection, regardless of whether you make a police report. Orders of Protection can make it illegal for a person to contact you. The advocates can also assist you with implementing an order at the university.

Advocates have limitations to confidentiality when on notice of:

- Abuse and neglect of a child under the age of 18
- Elder abuse or the abuse of a disabled adult
- A plan for suicide or harm to others
Confidential advocates may also be required to disclose information that is otherwise protected from disclosure in response to a valid subpoena or court order.

**Seek Medical Care and Forensic Exams**

You are urged to seek medical care. Medical care after a sexual assault can be helpful for treating or preventing illness and injury. It is also an important way to preserve evidence. Not all hospitals provide forensic exams/rape kits. If you are interested in evidence collection, as well as medical care, you must go to a hospital with trained Sexual Assault Nurse Examiners (SANE). SANE nurses are specially trained to work with patients who have been sexually assaulted.

Important things to know:

- You are not required to make a police report to get a SANE exam.
- There is no charge for a SANE exam.
- You may bring a friend or family member with you.
- Preserving evidence keeps your options open in case you decide to report.

It is recommended to be treated as soon as possible; evidence is best collected within 120 hours (five days) of the assault.

Information relating to local hospitals and SANE nurses is available on the Sexual Assault Resources website.

**Seek Support for Safety Planning**

The confidential advocates can also provide support in safety planning. The University can assist you by implementing safety measures, such as arranging for housing, academic and work accommodations, and/or providing assistance with transportation planning. These safety measures can be implemented when reasonably available and may be on an interim or permanent basis. The University will maintain the confidentiality of any safety measures provided to the extent practicable. Safety measures are available whether or not a report is made to the University or local law enforcement.

**Seek Counseling**

For support, the University offers several options for counseling services. Counseling can assist with recovery from a traumatic experience.

For UW Bothell and Cascadia Students:
The UW Bothell Counseling Center offers free short-term counseling services
PH: 425.352.3183
Web: [http://www.uwb.edu/studentaffairs/counseling](http://www.uwb.edu/studentaffairs/counseling)

Cascadia also has an on campus CARE Team. The Cascadia CARE Team assists with the following:
• Consultation and support to faculty, staff and administrators in assisting students who display concerning or disruptive behavior.
• Connecting students with college and community resources.
• Monitoring ongoing behavior of students who have displayed concerning or disruptive behavior

When you contact the CARE Team for assistance, a team member will respond within one business day. You may also stop by the office or phone a CARE Team member to initiate support. Once the CARE Team has been alerted to a situation, members will meet to implement the assessment process.

More information can be found at: [http://www.cascadia.edu/advising/counseling.aspx](http://www.cascadia.edu/advising/counseling.aspx) under the on campus Care Team section.

For UW Bothell Employees:
Carelink - The employee assistance program for benefits-eligible faculty and staff can provide counseling support.

PH: 866.598.3978 or TTY 877.334.0489
Web: [http://hr.uw.edu/worklife/uw-carelink/](http://hr.uw.edu/worklife/uw-carelink/)

For Cascadia Employees:
EAP – Employee Assistance Program for State Employees
PH: 877.313.4455

For counseling services that can be billed to medical insurance:
Hall Health Mental Health
PH: 206.543.5030
Web: [http://depts.washington.edu/hhpccweb/](http://depts.washington.edu/hhpccweb/)

Harborview Center for Sexual Assault & Traumatic Stress:
PH: 206.744.1600 or TTY: 206.744.616

State law protects the confidentiality of counseling relationships, however, counselors also have limitations on confidentiality when on notice of:

- Abuse and neglect of a child under the age of 18
- Elder abuse or the abuse of a disabled adult
- A plan for suicide or harm to others

Information retained in healthcare records that is otherwise protected from disclosure, may be subject to disclosure in response to a valid subpoena or court order.

*Seek Disability Accommodations*
If you are experiencing impacts of a medical condition or your experience has triggered an existing condition, consider seeking accommodations through the disability services offices:

**Disability Resources for Students - UW Bothell**
For matriculated students enrolled at the UW Bothell campus
PH: 425.352.5307
TDD: 425.352.5303
Web: [http://www.uwb.edu/studentaffairs/drs](http://www.uwb.edu/studentaffairs/drs)
Email: uwbothelldr@uw.edu

**Disability Services Office**
For members of the public, all University employees, and non-matriculated students enrolled at UW Seattle
PH: 206.543.6450 or TTY 206.543.6452
Email: dso@uw.edu

**Cascadia College Disability Services Office**
Kodiak Corner
PH: 425.352.8128
Web: [http://www.cascadia.edu/advising/disability.aspx](http://www.cascadia.edu/advising/disability.aspx)
Email: disabilities@cascadia.edu

**Consider Reporting to the University**
The University provides procedures for the investigation and resolution of complaints relating to domestic violence, relationship violence, sexual assault, stalking or retaliation. The University will respond to complaints regardless of whether a complaint is filed with a law enforcement agency.

Effective May 16, 2016, the University created the Title IX Investigation Office, which is responsible for investigating allegations that a University student has violated the sexual misconduct provisions of the Student Conduct Code. Previously, such allegations were investigated by Community Standards and Student Conduct. The following is the contact information:

**UW Bothell Title IX**
Title IX Investigation Office
Phone: 206.616.5334
Email: tixinv@uw.edu

**Cascadia College Title IX**
Title IX Coordinator
Executive Director of Human Resources
PH: 425.352.8262
Complaints that any University employee has violated Executive Orders No. 31 or 51 can be made to the University Complaint Investigation Resolution Office (UCIRO). This includes complaints involving faculty and other academic personnel, staff, Academic Student Employees (ASEs), and student employees. Following is the contact information:

University Complaint Investigation Resolution Office (UCIRO) -
Phone: 206.616.2028
Email: uciro@uw.edu

Human Resources may also respond to and investigate complaints involving University employees:

- Campus Human Resources — For complaints involving UW Seattle staff, UW Bothell staff, and UW Tacoma campus staff employees, including student employees. Phone: 206.543.2354
- Harborview Medical Center (HMC) Human Resources — For complaints involving HMC staff employees, including student employees. Phone: 206.744.9220
- UW Medical Center (UWMC) Human Resources — For complaints involving UWMC staff employees, including student employees. Phone: 206.598.6116

When students or employees report to the University that they have experienced sexual assault, dating/relationship violence, domestic violence, or stalking, they will be provided with written notification of:

- the importance of preserving evidence as may be necessary to the proof of a crime or in obtaining a protection order;
- to whom the alleged offense may be reported, including options regarding law enforcement and campus authorities and their option to
  - notify proper law enforcement authorities, including on-campus and local police;
  - be assisted by campus authorities in notifying law enforcement authorities if they choose; and
  - decline to notify such authorities;
- their rights and the university’s responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.
- Procedures for disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which will
  - Provide a prompt, fair, and impartial investigation and resolution
  - be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of those involved and promotes accountability;
- provide the complainant and respondent with the same opportunities to have others present during a disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice;
- simultaneously inform the complainant and the respondent, in writing, of the outcome of any disciplinary proceeding; the university’s procedures for the complainant and respondent to appeal the results of the disciplinary proceeding, if available; of any change to the results that occurs prior to the time that such results become final; and when the results become final.

- Possible sanctions or protective measures that the university may impose following a final determination of an disciplinary procedure;
- Information about how the university will protect their confidentiality, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information, to the extent permissible by law;
- Information about existing counseling, health, mental health, victim advocacy, legal assistance, and other services both on-campus and in the community;
- Options for, and available assistance in, changing academic, living, transportation, and working situations, if requested, and if such accommodations are reasonably available, regardless of whether they choose to report the crime to campus police or local law enforcement.

**Consider Reporting to Campus Safety**
Campus Safety can complete an incident report and assist with notifying a law enforcement authority if the victim so chooses.

**Consider Reporting to Law Enforcement**
The City of Bothell Police Department supports members of the University community with its Sexual Assault Response Commitment that pledges to assist with courtesy, sensitivity and professionalism. Reporting the incident to the police is encouraged regardless of the availability of evidence.

The City of Bothell Police Department also has long, collaborative relationships with the Snohomish County Sheriff’s Office and the King County Sheriff’s Office.

<table>
<thead>
<tr>
<th>Bothell Police</th>
<th>Snohomish County Sheriff</th>
<th>King County Sheriff</th>
</tr>
</thead>
<tbody>
<tr>
<td>425.486.1254</td>
<td>425.388.3393</td>
<td>206.396.3311</td>
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</tbody>
</table>

**Seek Protective Measures**
If you decide you want the University to conduct an investigation or you make a report to the police, the University will evaluate and implement protective measures designed so that you can avoid contact with the other person while an investigation is ongoing. The types of protective
measures that University can put in place will depend on your unique circumstances and needs and the impacts on the other person.

Options for protective measures may include, but are not limited to:

- Issuing a No-Contact directive that prohibits contact between a you and the other person, including within student organizations;
- Reassignment of the other person in University housing; and/or
- Adjusting the other person’s campus work or academic schedules.

Seek Other University and Community Resources

The University has a variety of other services available including legal assistance, VISA and immigration assistance, and student financial aid assistance. Information about available services at the University and in the local community can also be obtained from a confidential advocate or on the Sexual Assault Resource webpage.

Confidentiality and Recordkeeping

Records retained by University offices may be subject to disclosure under Chapter 42.56 RCW, the Washington State Public Records Act, unless otherwise protected from disclosure by law. Some information, such as healthcare information protected by the Health Insurance Portability and Accountability Act (HIPAA) or other state laws, student records protected by the Family Educational Rights and Privacy Act (FERPA), or information that is otherwise exempt from the Public Records Act, will not be subject to disclosure under that Act. Information retained in University records that is otherwise protected from disclosure, may be subject to disclosure pursuant to a valid subpoena or court order.

In accordance with the Clery Act, the University must also disclose statistical information relating to crimes of domestic violence, relationship violence, stalking, sexual assault, in its annual security report and issue timely warnings. This reporting is done without disclosing personally identifying information relating to the victim of such crimes, including information likely to disclose the location of the victim.

CASCADIA COLLEGE TITLE IX POLICY

http://www.cascadia.edu/discover/governance/policies/titleix.aspx

Cascadia's Discrimination Complaint Procedure

Introduction

Cascadia College recognizes its responsibility to investigate, implement interim and corrective measures, resolve complaints, and monitor the educational environment and workplace to stop, remediate, and prevent discrimination on the basis of race, color, national origin, age, perceived or actual physical or mental disability, pregnancy, genetic information, sex, sexual orientation, gender identity, marital status, creed, religion, honorably discharged veteran or military status, or use of a trained guide dog or service animal, as required by Title VI of the Civil Rights Act of
1964, Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Sections 504 and 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act and ADA Amendment Act, the Age Discrimination Act of 1975, the Violence Against Women Reauthorization Act, and Washington State’s Law Against Discrimination, Chapter 49.60 RCW, and their implementing regulations.

To this end, Cascadia College has enacted policies prohibiting discrimination against and harassment of members of these protected classes. Any individual found to be in violation of these policies will be subject to disciplinary action up to and including dismissal from the College or from employment. Any employees, students, applicants, or visitors who believe that they been the subject of discrimination, harassment, or retaliation should report the incident to the College’s Title IX / EEO Coordinator identified below. If the complaint is against that Coordinator, the complainant should report the matter to the president’s office for referral to an alternate designee.

Name: Martin P. Logan

Title: Title IX / EEO Coordinator

Office: Human Resources, CC2-280

Contact info: 425-352-8262; mlogan@cascadia.edu

The Title IX / EEO Coordinator or designee:

• Will accept all complaints and referrals from College employees, applicants, students, and visitors.

• Will make determinations regarding how to handle requests by complainants for confidentiality.

• Will keep accurate records of all complaints and referrals for the required time period.

• May conduct investigations or delegate and oversee investigations conducted by a designee.

• May impose interim remedial measures to protect parties during investigations of discrimination or harassment.

• Will make findings of fact on investigations completed.

• May recommend specific corrective measures to stop, remediate, and prevent the recurrence of inappropriate conduct.

The College encourages the timely reporting of any incidents of discrimination or harassment. Complaints may be submitted in writing or orally. For complainants who wish to submit a written complaint, a formal complaint form is available online on page 8 of this document. The complaint form is available in the Human Resources Office at Cascadia College.
Definitions

Complainant: an employee, applicant, student, or visitor of Cascadia College who alleges that the individual has been subjected to discrimination or harassment based on membership in a protected class.

1. *Complaint:* a description of facts that allege a violation of the College's policy against discrimination or harassment.

2. *Consent:* 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 the person is unable to understand what is happening or is 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.

3. *Discrimination:* unfavorable treatment of a person based on that person's membership or perceived membership in a protected class. Harassment is a form of discrimination.

4. *Harassment:* a form of discrimination consisting of unwelcome and offensive physical or verbal conduct directed toward an individual based on the individual's membership or perceived membership in a protected class. Harassment occurs when the conduct is sufficiently severe, persistent, or pervasive and so objectively offensive that it has the effect of altering the terms or conditions of employment or substantially limiting the ability of a student to participate in or benefit from the College's educational and/or social programs. Petty slights, annoyances, offensive utterances, and isolated incidents (unless extremely serious) typically do not qualify as harassment.

*Examples of conduct that could rise to the level of discriminatory harassment include but are not limited to the following*

Epithets, "jokes," ridicule, mockery, or other offensive or derogatory conduct focused upon an individual's membership in a protected class.

Verbal or physical threats of violence or physical contact directed towards an individual based upon their membership in a protected class.
Making, posting, emailing, texting, or otherwise circulating demeaning or offensive pictures, cartoons, graffiti, notes or other materials that relate to race, ethnic origin, gender, or any other protected class.

5. **Protected Class:** persons who are protected under state or federal civil rights laws, including laws that prohibit discrimination on the basis of race, color, national origin, age, perceived or actual physical or mental disability, pregnancy, genetic information, sex, sexual orientation, gender identity, marital status, creed, religion, honorably discharged veteran or military status, or use of a trained guide dog or service animal.

6. **Resolution:** the means by which the complaint is finally addressed. This may be accomplished through informal or formal processes, including counseling, mediation, or the formal imposition of discipline.

7. **Respondent:** person or persons who are members of the campus community who allegedly discriminated against or harassed another person or persons.

8. **Retaliation:** taking an adverse action against an individual because of the individual's participation in a protected activity, such as reporting concerns formally or informally regarding potential discrimination, harassment, or retaliation; filing a formal or informal complaint regarding discrimination, harassment, or retaliation; or participating in an investigation or a hearing involving allegations of discrimination, harassment, or retaliation.

9. **Sexual Harassment:** a form of discrimination consisting of unwelcome, gender-based verbal, written, electronic and/or physical conduct. Sexual harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person's gender. There are two types of sexual harassment.

10. **Hostile Environment Sexual Harassment** occurs when the conduct is sufficiently severe and/or pervasive and so objectively offensive that it has the effect of altering the terms or conditions of employment or substantially limiting the ability of a student to participate in or benefit from the College's educational and/or social programs.

11. **Quid Pro Quo Sexual Harassment** occurs when an individual in a position of real or perceived authority conditions the receipt of a benefit upon granting of sexual favors.

Examples of conduct that may qualify as sexual harassment include:

- Persistent comments or questions of a sexual nature.
- A supervisor who gives an employee a raise in exchange for submitting to sexual advances.
- An instructor who promises a student a better grade in exchange for sexual favors.
- Sexually explicit statements, questions, jokes, or anecdotes.
- Unwelcome touching, patting, hugging, kissing, or brushing against an individual's body.
- Remarks of a sexual nature about an individual's clothing, body, or speculations about previous sexual experiences.
- Persistent, unwanted attempts to change a professional relationship to an amorous relationship.
- Direct or indirect propositions for sexual activity.
- Unwelcome letters, emails, texts, telephone calls, or other communications referring to or depicting sexual activities.
12. **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** is any sexual intercourse (anal, oral, or vaginal), however slight, with any object, 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** is any intentional sexual touching, however slight, with any 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) **Domestic violence** includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

d) **Dating violence** means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

e) **Stalking** means intentional and repeated harassment or following of another person, which places that person in reasonable fear that the perpetrator intends to injure, intimidate, or harass that person. Stalking also includes instances where the perpetrator knows or reasonably should know that the person is frightened, intimidated, or harassed, even if the perpetrator lacks such intent.

**Who May File a Complaint**

Any employee, applicant, student, or visitor of the College may file a complaint. Complaints may be submitted in writing or verbally. The College encourages the timely reporting of any incidents of discrimination or harassment. For complainants who wish to submit a written complaint, a **formal complaint form** is available online. Hard copies of the complaint form are available at the Human Resources office in CC2-280. Any person submitting a discrimination complaint shall be provided with a written copy of the College’s anti-discrimination policies and procedures.

**Confidentiality and Right to Privacy**

Cascadia 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 the federal and state law, as well as College policies and procedures. Although Cascadia 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.
Confidentiality Requests and Sexual Violence Complaints. The Title IX / EEO Coordinator will inform and obtain consent from the complainant before commencing an investigation into a sexual violence complaint. If a sexual violence complainant asks that the complainant’s name not be revealed to the respondent or that the College not investigate the allegation, the Title IX /EEO Coordinator will inform the complainant that maintaining confidentiality may limit the college’s ability to fully respond to the allegations and that retaliation by the respondent and/or others is prohibited. If the complainant still insists that the complainant's name not be disclosed or that the College not investigate, the Title IX /EEO Coordinator will determine whether the College can honor the request and at the same time maintain a safe and non-discriminatory environment for all members of the college community, including the complainant. Factors to be weighed during this determination may include, but are not limited to:

- the seriousness of the alleged sexual violence;
- the age of the complainant;
- whether the sexual violence was perpetrated forcibly or with a weapon;
- whether the respondent has a history of committing acts of sexual or other violence or has been the subject of other sexual violence complaints;
- whether the respondent threatened to commit additional acts of sexual violence against the complainant or others; and
- whether relevant evidence can be obtained through other means (e.g., security cameras, other witnesses, physical evidence).

If the College is unable to honor a complainant’s request for confidentiality, the Title IX /EEO Coordinator will notify the complainant of the decision and ensure that complainant’s identity is disclosed only to the extent reasonably necessary to effectively conduct and complete the investigation.

If the College decides not to conduct an investigation or take disciplinary action because of a request for confidentiality, the Title IX / EEO Coordinator will evaluate whether other measures are available to limit the effects of the harassment and prevent its recurrence, and will implement such measures if reasonably feasible.

Investigation Procedure
Upon receiving a discrimination complaint, the College shall commence an impartial investigation. The Title IX / EEO Coordinator shall be responsible for overseeing all investigations. Investigations may be conducted by the Title IX / EEO Coordinator or designee. Complaints against employees will be investigated by the Human Resources Office; complaints against students will be investigated by the Office of Student Support Services. If the investigation is assigned to someone other than the Title IX / EEO Coordinator, the Title IX /EEO Coordinator shall inform the complainant and respondent(s) of the appointment of an investigator.

Interim Measures: The Title IX / EEO Coordinator may impose interim measures to protect the complainant and/or respondent pending the conclusion of the investigation. Interim measures may include, but are not limited to, imposition of no contact orders, rescheduling classes, temporary work reassignments, referrals for counseling or medical assistance, interim
suspension of the respondent consistent with the College's student conduct code or the College's employment policies and collective bargaining agreements.

**Investigation:** Complaints shall be thoroughly and impartially investigated. The investigation shall include, but is not limited to, interviewing the complainant and the respondent, relevant witnesses, and reviewing relevant documents. The investigation shall be concluded within a reasonable time, normally sixty days or sooner barring exigent circumstances. At the conclusion of the investigation the investigator shall set forth findings and recommendations in writing. If the investigator is a designee, the investigator shall send a copy of the findings and recommendations to the Title IX / EEO Coordinator. The Title IX / EEO Coordinator shall consider the findings and recommendations and determine, based on a preponderance of the evidence, whether a violation of the discrimination and harassment policy occurred, and if so, what steps will be taken to resolve the complaint, remedy the effects on any victim(s), and prevent its recurrence. Possible remedial steps may include, but are not limited to, referral for voluntary training/counseling, development of a remediation plan, limited contact orders, and referral and recommendation for formal disciplinary action. Referrals for disciplinary action will be consistent with the student conduct code or college employment policies and collective bargaining agreements.

**Written Notice of Decision:** The Title IX / EEO Coordinator will provide each party and the appropriate student services administrator or appointing authority with written notice of investigative findings, and of actions taken or recommended to resolve the complaint, subject to the following limitations. The complainant shall be informed in writing of the findings and of actions taken or recommended to resolve the complaint, if any, only to the extent that such findings, actions, or recommendations directly relate to the complainant, such as a finding that the complaint is or is not meritorious or a recommendation that the accused not contact the complainant. The complainant may be notified generally that the matter has been referred for disciplinary action. The respondent shall be informed in writing of the findings and of actions taken or recommended to resolve the complaint and shall be notified of referrals for disciplinary action. Both the complainant and the respondent are entitled to review any final findings, conclusions, and recommendations, subject to any FERPA confidentiality requirements.

**Informal Dispute Resolution:** Informal dispute resolution processes, like mediation, may be used to resolve complaints when appropriate. Informal dispute resolution shall not be used to resolve discrimination complaints without written permission from both the complainant and the respondent, as applicable. If the parties elect to mediate a dispute, either party shall be free to discontinue mediation at any time.

**Final Decision/Reconsideration:** Either the complainant or the respondent may seek reconsideration of the decision by the Title IX / EEO Coordinator. Requests for reconsideration shall be submitted in writing to the Title IX / EEO Coordinator within seven days of receiving the decision. Requests must specify which portion of the decision should be reconsidered and the basis for reconsideration. If no request for reconsideration is received within seven days, the decision becomes final. If a request for reconsideration is received, the Title IX / EEO...
Coordinator shall respond within ten (10) business days. The Title IX / EEO Coordinator shall either deny the request or, if the Title IX / EEO Coordinator determines that the request for reconsideration has merit, issue an amended decision. Any amended decision is final and no further reconsideration is available.

Publication of Anti-Discrimination Policies and Procedures
The policies and procedures regarding complaints of discrimination and harassment shall be published and distributed as determined by the president or president's designee. Any persons who believe they been subjected to discrimination in violation of College policy will be provided a copy of these policies and procedures.

Limits to Authority
Nothing in this procedure shall prevent the College President or designee from taking immediate disciplinary action in accordance with Cascadia College policies and procedures and other applicable law.

Non-Retaliation, Intimidation and Coercion
Retaliation by, for, or against any participant (including a complainant, respondent, witness, Title IX / EEO Coordinator, or investigator) is expressly prohibited. Retaliatory action of any kind taken against individuals as a result of seeking redress under the applicable procedures or serving as a witness in a subsequent investigation or any resulting disciplinary proceedings is prohibited and such conduct is subject to discipline. Any persons who believe they have been the victim of retaliation should contact the Title IX / EEO Coordinator immediately.

Criminal Complaints
_Discriminatory or harassing conduct may also be, or occur in conjunction with, criminal conduct._ Criminal complaints may be filed with the following law enforcement authorities:

Bothell City Police Department: Address: 18410 101st Ave NE, Bothell, WA 98011  |  Phone Number 425.486.1254

The College will proceed with an investigation of harassment and discrimination complaints regardless of whether the underlying conduct is subject to civil or criminal prosecution.

Other Discrimination Complaint Options
Discrimination complaints may also be filed with the following federal and state agencies:

PROCEDURES FOR UNIVERSITY OF WASHINGTON INVESTIGATION AND DISCIPLINARY ACTION

The process the University will follow to investigate and resolve the complaint depends on the relationship to the University of the person against whom the complaint is made. The University's processes for investigation and resolution of complaints are as follows:

Administrative Policy Statement 46.3, Resolution of Complaints Against University Employees

Faculty Code and Governance, Chapters 25–28; or

STUDENT CONDUCT POLICY FOR DISCRIMINATORY AND SEXUAL HARASSMENT AND SEXUAL ASSAULT HARASSMENT, INTIMATE PARTNER VIOLENCE, SEXUAL MISCONDUCT, STALKING, AND RETALIATION

Student Governance and Policies Chapter 210 - Student Conduct Policy for Discriminatory and Sexual Harassment, Intimate Partner Violence, Sexual Misconduct, Stalking and Retaliation

1. Policy and Authority

Policy

The University of Washington (University) is a public institution responsible for providing instruction in higher education, for advancing knowledge through scholarship and research, and for providing related services to the community. As a center of learning, the University also has the obligation to maintain conditions conducive to the freedom of inquiry and expression to the maximum degree compatible with the orderly conduct of its functions. For these purposes, the University is governed by rules, regulations, procedures, policies, and standards of conduct that safeguard its functions and protect the rights and freedoms of all members of the University community.

As set forth in Executive Order No. 31, Nondiscrimination and Affirmative Action, the University does not discriminate on the basis of sex or gender in any of its education or employment programs and activities, and it does not tolerate discrimination or harassment on the basis of sex or gender. When the University becomes aware of sex or gender-based harassment or discrimination, the University will take steps to end the conduct, prevent its recurrence, and address its effects on the individual and community.

Purpose
The purpose of this policy is to describe the University's statements of policy in compliance with the Clery Act and related federal and state law (see: 34 CFR 668.46(b)(11)(ii), Procedures Victims Should Follow in the Case of Alleged Dating Violence, Domestic Violence, Sexual Assault or Stalking).

The purpose of this policy is also to describe the University's agency-level policies and procedures regarding student conduct and student discipline of the rules set forth in Chapter 478-121 WAC, Student Conduct Code for the University of Washington related to reports of prohibited conduct under the code and to describe the University's current approach to implementation of the code and its practices, procedures, and methods of action based upon that approach for student conduct proceedings alleging misconduct under the following sections of the code:

"Discriminatory harassment" as defined in WAC 478-121-123;

"Intimate partner violence" as defined in WAC 478-121-140;

"Sexual harassment" as defined in WAC 478-121-155;

"Sexual misconduct," which includes "indecent exposure" as defined in WAC 478-121-137, "sexual assault" as defined in WAC 478-121-150, and "sexual exploitation" as defined in WAC 478-121-153;

"Stalking" as defined in WAC 478-121-157; and

"Retaliation" as defined in WAC 478-121-147, when that alleged conduct arose in connection with a report or conduct proceeding covered by this policy.

Advisory Committee on Student Conduct
The Advisory Committee on Student Conduct is charged and authorized with reviewing and evaluating conduct processes and outcomes and making recommendations to the Faculty Council on Student Affairs for potential revisions to policies and procedures. The committee is chaired by a faculty representative nominated by the Faculty Council on Student Affairs and approved by the Faculty Senate.

Complainant as a Party to a Conduct Proceeding
If a conduct proceeding is initiated that involves any of the prohibited conduct covered by this policy, in accordance with WAC 478-121-233, the complainant will be designated as a "party" in
the conduct proceeding. The other parties to a conduct proceeding are typically the University and the respondent.

Under the code, a "complainant" is the person who is the subject of the prohibited conduct, whether or not that person made a report that a violation of the code had been committed against them (per WAC 478-121-050(2)). A "respondent" is any student or student organization reported to have engaged in prohibited conduct under the conduct code (per WAC 478-121-050(10)).

If reported conduct may constitute "Retaliation" and that alleged conduct arose in connection with a report or conduct proceeding covered by this policy, in accordance with WAC 478-121-233, the complainant will be designated as a party in any conduct proceeding initiated relating to that report.

**Intersection of the Student Conduct Code and Related Student Conduct Policies**

If the reported conduct involves common issues or parties that would potentially fall under both Student Governance and Policies, Chapter 209 and this policy, the University may, in its discretion, conduct one conduct proceeding. In addition, reports that may constitute "Abuse of Others" under WAC 478-121-103 will be addressed under this policy if the report involves sexual or discriminatory harassment, intimate partner violence, sexual misconduct, or is part of a course of conduct that meets the definition of stalking.

Reports that fall solely within prohibited conduct covered by Student Governance and Policies, Chapter 209, Student Conduct Policy for Academic Misconduct and Behavioral Misconduct, will be addressed under that policy.

**Intersection and Coordination with Other Related University Policies**

The following University policies may intersect with this policy:

Executive Order No. 31, Nondiscrimination and Affirmative Action, which prohibits discrimination and harassment based on protected class statuses, including based on sex, sexual orientation, and gender identity or expression. Sexual and discriminatory harassment are also prohibited forms discrimination;

Executive Order No. 51, Sexual Violence Elimination Policy, which prohibits domestic violence, relationship violence, stalking, and sexual assault;

Administrative Policy Statement 46.3, Resolution of Complaints Against University Employees, which governs reports against University employees; or

Workplace Violence web page, which prohibits acts or threatened acts of violence, including relationship violence or domestic violence.
For students who are also University employees, where reported conduct involves the potential violation of the student conduct code and other related University policies, the University will assess the appropriate process through which to respond to the reported conduct and evaluate whether a single fact finding and/or conduct proceeding may be conducted that encompasses all relevant conduct and policies.

**Title IX Coordinator**
The University has designated a Title IX Coordinator to oversee implementation of this policy and facilitate the University's compliance with Title IX and related provisions of the Clery Act (as amended by VAWA). The University's Title IX Coordinator is available to review individual questions or concerns relating to this policy, to address concerns about compliance, and to provide compliance support for programs, departments, schools, colleges, and campuses relating to discrimination based on sex.

**Title IX Coordinator**
Email: TitleIX@uw.edu

H. **External Reporting Options**

Concerns about the University's application of relevant federal and/or state law can be referred to:

United States Department of Education Office for Civil Rights (OCR)
Phone: 1-800-421-3481 (toll-free)
Email: ocr@ed.gov

United States Department of Education, Clery Act Compliance Division
Email: clery@ed.gov

Washington State Human Rights Commission
Phone: 1-800-233-3247 (toll-free) 1-800-300-7525 (toll-free TTY)

**2. University Assistance and Resources**

**Reports to the University and Outreach to Complainant**
The University encourages individuals who are affected by prohibited conduct under this policy to seek assistance from the confidential advocates listed in Section 2.B, below, and to report the conduct to the University and/or law enforcement as described in Section 4, Reporting Options and Initial Assessment of Reports, below. Complainants may make a report to the University, to law enforcement, to both, or to neither. Complainants may also simultaneously pursue criminal and University action. University conduct proceedings and law enforcement investigations operate independently of one another, although the University will make efforts to coordinate
information with law enforcement when there are parallel investigations. The assistance and resources described in this section are available to individuals regardless of whether they choose to make a report to law enforcement or request any particular response by the University.

When the University receives a report that a member of the University community has been impacted, either directly or indirectly, by conduct covered by this policy, the individual will be provided with written information about resources and applicable policies.

Additional information about University and community resources is also available on the Sexual Assault Resources website.

**Confidential Advocates**
The University has designated confidential advocates who provide a safe place for individuals to discuss concerns regarding conduct covered by this policy and to learn about the options and resources available to them. They can also provide support in seeking interim supportive measures or other resources described in this policy. Disclosures made to a confidential advocate do not constitute a report to the University for the purposes of initiating a conduct proceeding or taking action involving a respondent. Additional information about confidentiality, and any further limits on confidentiality, is provided below in Section 3, Privacy and Confidentiality. Information can also be obtained from the confidential advocates.

For the most current information relating to the designation of confidential advocates at the University and for other community-based confidential advocates, see the Sexual Assault Resources website.

**Interim Supportive Measures**
The University will offer reasonable and appropriate interim measures for the complainant. These measures may be supportive (designed to address a complainant's continued access to University educational programs and activities, employment, or other University activities or programs) or protective (involving action that impacts a respondent). See Section 10.L for more information on interim protective measures.

Interim supportive measures are available regardless of whether a complainant makes a report under the student conduct code or this policy. They may include, but are not limited to, arranging for housing, academic or work adjustments for the complainant, consultation regarding transportation planning, and facilitating the complainant’s access to counseling and healthcare services.
Interim supportive measures may be implemented when reasonably available and may be on an interim or permanent basis. The University will maintain the privacy of any interim supportive measures provided to the extent practicable.

**Leave Use or Work Schedule Adjustments**
Employees, including student employees, who are victims of intimate partner violence (including domestic violence and relationship violence), stalking, or sexual assault may request time away from work or a modified work schedule to make arrangements for personal safety, legal proceedings, or to obtain medical, legal, or counseling services. See Administrative Policy Statement 11.7, Policy on Domestic Violence in the Workplace and Leave Related to Domestic Violence, Sexual Assault, or Stalking.

**Information about University and Community Services**
The University and/or local communities offer a variety of services including counseling, healthcare, victim advocacy, legal assistance, VISA and immigration assistance, and student financial aid assistance. Information about available services at the University and in the local communities is available on the Sexual Assault Resources website, from the Title IX Coordinator, or from a confidential advocate.

**Protection Orders**
The University will provide information on how to obtain orders of protection issued by a criminal, civil, or tribal court. When an order has been obtained that has implications for the complainant's or respondent's participation in employment, educational programs and activities, or other University activities or programs, the University will assist with implementation. For more information, see the Sexual Assault Resources website.

**Medical Care and Preserving Evidence**
Medical care is available from the University's medical centers and/or other medical centers in the community. Sexual Assault Nurse Examiners (SANE) are specially trained to work with individuals who have been sexually assaulted and to preserve evidence in the event the individual later decides to pursue a criminal report. It is not necessary to make a police report to receive a SANE exam and there is no charge for the exam. More Information about the importance of preserving evidence and about local resources for seeking a SANE exam is available from the confidential support offices and on the Sexual Assault Resources website.

**Disability Accommodations**
For those who are experiencing impacts of a medical or mental health condition or whose experience has affected an existing condition, University disability services offices can evaluate and provide reasonable accommodations. See Student Governance and Policies, Chapter 208, Reasonable Accommodations for Students with Disabilities. For contact information see resources on the Student Conduct website.
3. Privacy and Confidentiality

Privacy and Confidentiality Meanings
The University is committed to protecting the privacy of all individuals who are involved in any report or conduct proceeding under this policy. "Privacy" and "confidentiality" have distinct meanings under this policy.

Privacy means that information related to a report of prohibited conduct will be shared with a limited circle of University employees who "need to know" in order to assist in assessing and responding to a report. See Section 17 for more information about privacy and records.

Confidentiality exists in the context of laws that protect certain relationships, including with medical and clinical care providers, mental health providers, and counselors, all of whom may engage in confidential communications under Washington State law. Other examples include licensed medical, clinical, or mental-health professionals, physicians, nurses, physicians' assistants, psychologists, psychiatrists, professional counselors, and those performing services under their supervision. The University has designated University employees who have the ability to have such confidential communications as "Confidential Employees."

Communications with Confidential Employees and Related Records
Communications between patients and University healthcare providers, and related medical records, have additional protections under University policies, state licensing requirements, and state and/or federal law.

Generally, the provider cannot reveal that information to any third party except:

If the patient gives written consent for its disclosure; If there is risk of imminent harm to the patient or another identified person; If there is reason to suspect that a minor or an elderly person is in danger of being abused or neglected; If a court of law orders the release of certain information about a patient; or

If the patient files a lawsuit or other legal action against the University or its employees, agents, or officers contesting the provision of services, information contained in the provider's records could be released to University attorneys if relevant to the action.

More information about confidentiality may be obtained from the healthcare provider.

Reporting Suspected Child Abuse
In accordance with Executive Order No. 56, Reporting Suspected Child Abuse or Neglect, all University employees and volunteers who have reasonable cause to believe that a child has suffered abuse or neglect must immediately report the suspected abuse or neglect to law enforcement or the Department of Social and Health Services. A child is any individual under the age of 18 years old.
**Clery Act Reporting**
Under the Clery Act, the University must maintain a daily crime log, publish an annual security report that includes aggregate statistics about reports of certain potential criminal offenses, and provide those statistics to the United States Department of Education. Clery Act reporting does not include any personally identifying information about individuals involved in an incident.

The Clery Act also requires the University to issue timely warnings to the University community about certain crimes that have been reported and may continue to pose a serious or continuing threat to students and employees. Consistent with the Clery Act, the University withholds the names and other personally identifying information of complainants, including information likely to disclose the location of the complainant, when issuing timely warnings to the University community.

**Reporting by University Employees**
The University’s Violence Prevention and Response Program (SafeCampus) has been designated to receive reports from University employees when employees learn of potential prohibited conduct under this policy. SafeCampus will collect all relevant details (obtained directly or indirectly) about the incident, including dates, times, locations, and names of complainant and other individuals involved, if known. SafeCampus will then contact the complainant to provide information about available support, resources, and reporting options under this policy and will also notify the Title IX Coordinator. SafeCampus will also connect the complainant with a confidential advocate. Contacting SafeCampus will not automatically initiate a conduct proceeding or other University investigation.

Generally, University employees are not required to report, and the University will not consider it a report, when information is disclosed:

1) At public awareness events (e.g., "Take Back the Night," candlelight vigils, protests, "survivor speak-outs," or other public forums in which students may disclose prohibited conduct); or

2) During an individual’s participation as a subject in an Institutional Review Board-approved human subjects research protocol (IRB Research).

**4. Reporting Options for Complainants and Initial Assessment of Reports**

Reporting Discriminatory and Sexual Harassment, Intimate Partner Violence, Sexual Misconduct, Stalking, and Retaliation Under This Policy

Reports of prohibited conduct under this policy should be made to:

Title IX Investigation Office
There is no time limit for reporting to the University; however, the University's ability to respond may diminish over time, as evidence may erode, memories may fade, or respondents may no longer be affiliated with the University. If a respondent is no longer a student, the University will provide reasonably appropriate supportive measures and assist the complainant in identifying any other reporting options.

**Reporting Other Prohibited Conduct**

Reports of other types of prohibited conduct under Chapter 478-121 WAC, Student Conduct Code for the University of Washington, should be made in accordance with Student Governance and Policies, Chapter 209, Student Conduct Policy on Academic Misconduct and Behavioral Misconduct.

**Reporting to Law Enforcement**

Prohibited conduct under this policy may also violate criminal law and may be reported directly to law enforcement. A complainant has the right to report, or decline to report, potential criminal conduct to law enforcement. The University will assist a complainant in contacting law enforcement. If a complainant chooses to make a report to law enforcement, the complainant may also make a report to the University. For more information on reporting, see the Sexual Assault Resources website.

**Amnesty for Alcohol or Other Drug Violations**

A conduct officer may elect not to initiate a conduct proceeding regarding alcohol or other drug violations against a student who, while in the course of helping another student seek medical assistance, admits to the unlawful possession or use of alcohol or drugs, provided that the possession was for personal consumption and the use did not place the health or safety of any other person at risk. The University may initiate an assessment or educational discussion or pursue other non-disciplinary options regarding alcohol or other drug use. In addition, a conduct proceeding will not be initiated against a complainant or other reporting student or other participating witnesses who admit to the possession or use of alcohol or drugs in connection with a report under this policy.

**Informal Settlements and Mediation**

The University may conduct informal settlements or other alternative resolution of reports. Mediation, including direct interaction between a complainant and respondent, even if voluntary, may not be used in resolving reports of sexual assault under this policy.

**Initial Assessment**

Upon receipt of a report, representatives of appropriate University offices, such as the Title IX Coordinator, will conduct an initial assessment, as described in Section 4.G, below. A report may
include, but is not limited to direct or indirect reports of potential prohibited conduct, including a police report, an incident report, a witness statement, other documentation, or a verbal or written report from a complainant, witness, or a third party.

**Request to Not Pursue a Conduct Proceeding**

When complainants request that their name or other identifiable information not be shared with respondents and/or that no conduct proceeding or other action be taken, the University will seek to honor that preference when possible. In determining how to proceed, the University will balance a complainant's request with its obligation to provide a safe and nondiscriminatory environment for all University community members, including the complainant.

The factors that will be considered in evaluating such requests, include, but are not limited to:

1) The nature and scope of the reported conduct, including whether the reported conduct involved physical force or the use of a weapon;

2) The potential impact on the complainant of moving forward, particularly in reports involving intimate partner violence;

3) The respective ages and roles of the complainant and respondent, including whether the complainant is (or was at the time of the reported conduct), a minor under the age of 18;

4) The risk posed to any individual or to the campus community by not proceeding, including the risk of additional violence;

5) Whether there have been other complaints to the University related to similar behavior about the same respondent (if known);

6) Whether the respondent has a history of convictions or records from a prior school indicating a history of harassment/misconduct, if such records are available;

7) Whether the respondent threatened further sexual violence or other violence against the complainant or others;

8) Whether the report reveals a pattern of conduct at a given location or by a particular group such that there is an increased risk of future acts of sexual misconduct under similar circumstances; and

9) Whether the conduct included multiple respondents.

Where the University determines that a complainant's request can be honored, the University will evaluate whether there are other steps that can be taken to respond to the report and remedy any effects on the complainant and the University community. Those steps may
include offering appropriate supportive measures to the complainant, providing targeted training or prevention programs, and/or providing or imposing other remedies tailored to the circumstances.

Where the University determines that action should be taken that is inconsistent with the request of the complainant, the complainant will be informed about the chosen course of action, which may include the University initiating a conduct proceeding against a respondent. In that event, the University will make reasonable efforts to protect the privacy of the complainant. However, in the course of a conduct proceeding a complainant's identity may have to be disclosed. If so, the complainant will be notified that the University intends to proceed with a conduct proceeding, but that the complainant is not required to participate in the proceeding or in any other actions undertaken by the University.

In such cases when the complainant chooses not to participate or does not respond to a request to participate, the University may pursue conduct proceedings if it is possible to do so without the complainant's participation. Where a complainant declines to participate in a conduct proceeding, however, the University's ability to meaningfully investigate and respond to a report may be limited.

5. Standards of Conduct and Application of the Student Conduct Code

Statement of Authority
Pursuant to Chapter 34.05 RCW and the authority granted by RCW 28B.20.130, the Board of Regents of the University of Washington has established rules regarding student conduct and student discipline ("code") that are set forth in Chapter 478-121 WAC, Student Conduct Code for the University of Washington.

Standards of Conduct
By way of further interpretation, in determining what types of conduct would be prohibited under WAC 478-121-100 through 478-121-173, the University applied guiding principles that can be summarized as follows: Admission to the University carries with it the presumption that students will conduct themselves as responsible members of the University community. As a condition of enrollment, all students assume responsibility to observe standards of conduct that will contribute to the pursuit of academic goals and to the welfare of the University community. That responsibility includes, but is not limited to:

1) Practicing high standards of academic and professional honesty and integrity;
2) Refraining from any conduct that would violate the rights, privileges, and property of others;
3) Refraining from any conduct that would substantially disrupt or materially interfere with University operations;

4) Refraining from any conduct that could reasonably cause harm to or endanger the health, safety, or welfare of other persons; and

5) Complying with the rules, regulations, procedures, policies, standards of conduct, and orders of the University and its schools, colleges, departments, units, and programs.

General Application of the Student Conduct Code
Under WAC 478-121-020, the conduct code applies to all students from the time of admission through the actual conferral of a degree, including any period between terms of enrollment.

The disciplinary sanctions specified in WAC 478-121-210, up to and including suspension or dismissal, may be imposed on any student or student organization found responsible for prohibited conduct set forth in WAC 478-121-100 through 478-121-173 and as described in relevant University policies.

Jurisdiction of the University
Under WAC 478-121-040, the scope of the University's jurisdiction includes reports that prohibited conduct occurred:

1) On any University premises or in connection with any University-sponsored program or activity, regardless of the location of the program or activity; or

2) Off campus (i.e., conduct that does not occur on University premises or in the context of a University-sponsored program or activity) where: the University reasonably determines that the conduct adversely affects a University interest or, has continuing adverse effects or may create a hostile environment on University premises or in the context of a University-sponsored program or activity.

Nothing in the conduct code or this policy shall be construed to limit academic action that may be taken by schools, colleges, or programs against a respondent based on an established violation of Chapter 478-121 WAC that demonstrates a failure to meet the academic and/or professional standards of the school, college, or program.

If a respondent withdraws from the University (or fails to reenroll) while a conduct proceeding is pending, the University may move forward with the conduct proceeding and, if so, the respondent will be provided with a continued opportunity to participate.

The conduct officer will determine whether the University has jurisdiction based on the information available through the report and initial assessment.
6. Definitions for Conduct Proceedings

Under WAC 478-121-050, for the purposes of the conduct code, the following definitions apply:

**Attorney**
"Attorney" is a person permitted to practice law in Washington State.

**Complainant**
A "complainant" is the person who is the subject of the prohibited conduct, whether or not that person made a report that a violation of the code or this policy had been committed against them.

**Conduct Hold**
A "conduct hold" refers, collectively, to administrative notes on a student's record, such as registration holds, degree holds, and transcript holds, that enable the conduct officer to monitor the registration and enrollment status of a student for the purpose of administering the code.

**Conduct Officer**
"Conduct officer" is an individual who has the authority to initiate conduct proceedings under the code, including initiating conduct proceedings, completing fact finding, and issuing initial orders. A "conduct officer" under the code is considered a "presiding officer" under Chapter 34.05 RCW for the purpose of conducting a brief adjudicative proceeding.

**Conduct Proceedings**
"Conduct proceedings" refers to brief adjudicative proceedings and full adjudicative proceedings, collectively, under Chapter 34.05 RCW.

**FERPA**
"FERPA" refers to the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g) and its implementing regulations (34 C.F.R. Part 99).

**Full Hearing**
"Full hearing" refers to the hearing that occurs when a matter is designated as being appropriate for a full adjudicative proceeding, consistent with Part V of Chapter 478-121 WAC, and Section 14 of this policy.

**Hearing Officer**
A "hearing officer" is a "presiding officer" in a full hearing for the purpose of conducting a full adjudicative proceeding under Chapter 34.05 RCW.

**Presiding Officer**
"Presiding officer" refers to conduct officers and hearing officers collectively.
Respondent
A "respondent" is any student or student organization reported to have engaged in or charged with prohibited conduct under the conduct code.

Review Coordinator
A "review coordinator" is an individual who may be appointed to a review panel as a non-voting member who manages the administrative review process.

Review Panel
"Review panel" is a panel of reviewing officers selected from the pool of reviewing officers appointed to conduct administrative reviews under Parts IV or V of Chapter 478-121 WAC and Section 13 and/or Section 15 of this policy. The review panel may also include a "review coordinator."

Reviewing Officers
"Reviewing officers" are those who conduct administrative reviews for the purpose of full adjudicative proceedings or brief adjudicative proceedings under Chapter 34.05 RCW.

Student
A "student" is any person enrolled in or taking courses at or through the University, either full-time or part-time, including credit, noncredit, online, and non-degree courses, and any person who has been notified of acceptance for admission by the University. A student who withdraws from a course or from the University, graduates, or completes courses after the date of an alleged violation, or who is not enrolled for a particular quarter or quarters, but has a continuing relationship with the University, is still considered a student for purposes of the conduct code and this policy.

Student Organization
"Student organization" is a group of students that has complied with the requirements for University recognition or who otherwise are granted any rights or privileges by the University as a University affiliate. Student organizations include, but are not limited to, athletic teams or clubs, registered student organizations (RSOs), University service clubs, and sororities and fraternities.

University Community
The "University community" includes all University students, employees, guests of and visitors to the University, and other individuals affected by the conduct of a University student.

University Official
"University official" is an employee of the University performing his or her assigned administrative, professional, or paraprofessional duties.
University Premises
"University premises" includes all of the University's campus buildings, grounds, and facilities, all of its extension and research locations, and all other University-leased, -owned, or -managed buildings, grounds, and facilities, including its global learning centers and study abroad program sites, as well as University-sponsored and/or -hosted online platforms.

7. Prohibited Conduct

General Application
Prohibited conduct under this policy includes, but is not limited to the conduct as described in WAC 478-121-100 through 478-121-173 and other relevant University policies, including this policy and Student Governance and Policies, Chapter 209, Student Conduct Policy for Academic Misconduct and Behavioral Misconduct.

Aiding Assisting, and Attempting
Under WAC 478-121-113, students may also be found responsible for prohibited conduct if they:

1) Aid or assist another student or student organization in the commission of prohibited conduct;

2) Request, hire, or incite another person to commit prohibited conduct, either intending that the other person commit the prohibited conduct or with the knowledge that the other person intends to commit the prohibited conduct; or

3) Attempt to commit prohibited conduct.

Discriminatory Harassment
Under WAC 478-121-123, discriminatory harassment includes verbal, physical, electronic, or other conduct based on an individual's race, color, creed, religion, national origin, citizenship, sex, age, pregnancy, marital status, sexual orientation, gender identity or expression, disability, or veteran status when one of the conditions outlined below in Sections 7.C.1 or 7.C.2 is present:

1) Submission to, or rejection of, such conduct is made implicitly or explicitly a term or condition of an individual's instruction, academic standing, employment, or participation in any University program, activity, or benefit, or is used as a basis for evaluation in making academic or personnel decisions; or

2) Such conduct creates a hostile environment, which is created when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with an individual's academic or work performance, ability to participate in or benefit from the University's programs, services, opportunities, or activities, or the receipt of legitimately requested services when viewed through both a subjective and objective standard.
**Indecent Exposure**
Under WAC 478-121-137, indecent exposure includes the exposure of a person's genitals or other private body parts when done in a place or manner in which such exposure is likely to cause affront or alarm, or is against generally accepted standards of decency. Breastfeeding or expressing breast milk is not indecent exposure.

**Intimate Partner Violence**
Under WAC 478-121-140, intimate partner violence includes any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. Intimate partner violence may include any form of prohibited conduct under this policy, including sexual assault, stalking, and physical abuse of others.

Abuse of others includes assault and other forms of physical abuse of any person, or any conduct intended to threaten bodily harm or to endanger the health or safety of any person.

Intimate partner violence may also include forms of economic or emotional abuse, including behaviors that are intended to intimidate, manipulate, humiliate, or isolate someone.

For the purpose of the University's annual crime statistics, as used in WAC 478-121-140 and this policy, the definition of "intimate partner violence" is intended to be consistent with the definitions of dating violence and domestic violence set forth in the Clery Act (as amended by VAWA). When determining whether the reported conduct meets the Clery definition, whether there has been a domestic or dating relationship will be determined by a review of its length, type, and frequency of interaction.

**Retaliation**
Under WAC 478-121-147, retaliation includes engaging or attempting to engage in any action, directly or indirectly, including through a third party, that is intended to harass, intimidate, threaten, harm or improperly influence any person because they:

1) Make, or intend to make, a report, complaint, grievance, or allegation of prohibited conduct under any University policy or rule, or under any law;

2) Participate in and/or cooperate with conduct proceedings; or

3) Appear as a witness.

**Sexual Assault**
Under WAC 478-121-150, sexual assault includes sexual contact with another person without, or that exceeds, that person's consent.

1) For the purposes of this subsection, "sexual contact" includes:
a) Any intentional touching of the intimate parts of another person's
clothed or unclothed body, including but not limited to the mouth, neck, buttocks, anus,
genitalia, or breast;

b) Causing another person to touch their own or another's body in the
manner described above; or

c) Any penetration, no matter how slight, of the vagina or anus with any body part or object, or
oral-genital contact.

2) For the purposes of this subsection, "consent" means that at the time of and
throughout the sexual contact, there are words or conduct that reasonably communicate freely
given agreement between or among the parties to engage in the sexual contact. In addition:

a) Consent cannot be obtained when force or threat is used to gain
consent;

b) Consent cannot be obtained where the respondent knew or
reasonably should have known that the other person was incapacitated; or

c) Consent cannot be given or granted by a person who is under the statutory age of consent in
accordance with the criminal code of Washington, Chapter 9A.44 RCW, Sex Offenses.

A respondent's use of alcohol or drugs is not a valid defense to a charge of
sexual assault, and a respondent will be held to the standard of a reasonable sober person in
evaluating whether the respondent knew or reasonably should have known that the
complainant was incapacitated.

3) When assessing "consent," the agency's interpretation of the code is that the
presiding officer may consider the following, along with any other information that is relevant to
determine if consent was "freely given" as set forth in WAC 478-121-147(2) of the conduct code:

a) Consent cannot solely be inferred from silence, passivity, or a lack of
resistance, and relying on non-verbal communication alone may violate the code and this policy;

b) Consent cannot be inferred merely from an existing or previous dating
or sexual relationship;

c)
Even in the context of a relationship, there must be mutual consent to engage in sexual contact;

d) Past consent alone is not sufficient to imply future consent;

e) Consent given to one person does not constitute consent given to another person;

f) Consent to one sexual act does not constitute consent to other sexual acts; and

g) Consent can be withdrawn at any time and, once consent is withdrawn and reasonably communicated, sexual contact must stop immediately.

4) For the purposes of determining whether consent has been given, the University interprets the code to mean that individuals are "incapacitated" when they lack the ability to understand the facts, nature, extent, or implications of the sexual contact for any reason including, but not limited to, being asleep, unconscious, unaware that the sexual contact is occurring, mentally or physically impaired due to an intellectual or other disability, or mentally or physically incapacitated due to the effects of alcohol or other drugs.

When assessing whether the respondent "knew or reasonably should have known" the complainant was incapacitated, indicators of incapacitation include, but are not limited to: stumbling, falling down, an inability to stand or walk on their own, slurred speech or incoherent communication, an inability to focus their eyes or confusion about what is happening around them, combativeness, emotional volatility, incontinence, passing out, or vomiting. A failure to exhibit any of these behaviors, however, does not necessarily mean that a person is capable of giving consent or is not incapacitated.

Sexual Exploitation
Under WAC 478-121-153, sexual exploitation involves taking nonconsensual or abusive advantage of another for the purposes of sexual arousal or gratification, financial gain, or other personal benefit. Examples of sexual exploitation include:

1) Transmitting, distributing, publishing, or threatening to transmit, distribute, or publish photos, video, or other recordings or images of a private and sexual nature, including consensual sexual activity, without the consent of the subject(s);

2) Taking, making, sharing, or directly transmitting photographs, films, or digital images of the private body parts of another person without that person's consent;

3) Prostituting another person; or
4) Knowingly allowing another to surreptitiously watch otherwise consensual sexual activity.

**Sexual Harassment**
Under WAC 478-121-155, sexual harassment is unwelcome sexual advances, requests for sexual favors or other verbal, physical, or electronic conduct of a sexual nature when one of the conditions outlined below in Sections 7.I.1 or 7.I.2 is present:

1) Submission to, or rejection of, such conduct is made implicitly or explicitly a term or condition of an individual's instruction, academic standing, employment, or participation in any University program, activity, or benefit, or is used as a basis for evaluation in making academic or personnel decisions; or

2) Such conduct creates a hostile environment, which is created when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with an individual's academic or work performance, ability to participate in or benefit from the University's programs, services, opportunities, or activities, or the receipt of legitimately requested services when viewed through both a subjective and objective standard.

**Stalking**
Under WAC 478-121-157, stalking means engaging in a course of conduct directed at another person that would cause a reasonable person to:

1) Fear for the person's safety or safety of others; or

2) Suffer substantial emotional distress.

For the purposes of this section, "course of conduct" means two or more acts including, but not limited to, acts in which the respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Stalking also includes cyberstalking such as through electronic media, the Internet, social networks, blogs, cell phones, or text messages.

For the purposes of this section, "substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

8. Conduct Proceedings

**Form of Adjudicative Proceeding**
Under WAC 478-121-200, all conduct proceedings under the student conduct code and this policy are conducted in accordance with Chapter 34.05 RCW, the Administrative Procedure Act,
and constitutional due process. If there is an irresolvable conflict between the student conduct code and the Administrative Procedure Act or constitutional due process, the Administrative Procedure Act or constitutional due process shall supersede the student conduct code.

In applying the student conduct code and this policy, due consideration shall be given to the fact that the conduct process is administrative and not judicial in nature and that the rules of civil procedure only apply to the extent set forth in the conduct code or in Chapter 34.05 RCW. In formal proceedings pursuant to RCW 34.05.413 through 34.05.476, the University adopts the model rules of procedure Chapter 10-08 WAC, Model Rules of Procedure. In the case of a conflict between the model rules of procedure and Chapter 478-121 WAC, the procedural rules adopted in the code shall govern.

Informal settlements may be conducted under the authority of RCW 34.05.060.

**Brief Adjudicative Proceedings**
Under WAC 478-121-203, when conduct proceedings have been designated as brief adjudicative proceedings under the student conduct code, they will be conducted in accordance with RCW 34.05.482 through 34.05.494 and the parties will receive notice as set forth in WAC 478-121-235.

**Conversion to Full Adjudicative Proceeding**
Under WAC 478-121-205, prior to the conclusion of a brief adjudicative proceeding, the conduct officer shall make any inquiries necessary to ascertain whether the proceeding should be converted to a full adjudicative proceeding under RCW 34.05.413 through 34.05.476, of the Administrative Procedure Act. If converted, the conduct officer will take steps necessary to initiate a full hearing and a hearing officer will be assigned.

To the extent feasible, the conduct officer’s record will be included in the record for the full hearing. The time of commencement of the full hearing shall be considered to be the time of commencement of the original conduct proceeding.

If not converted by the conduct officer, the parties will be given an opportunity to request a full hearing through the administrative review process per WAC 478-121-320 through 478-121-345.

**Full Adjudicative Proceeding**
Under WAC 478-121-207, if it becomes apparent that a full adjudicative proceeding is necessary, is in the public interest, or is more appropriate to resolve issues affecting the participants, a full hearing will be held in accordance with WAC 478-121-400 through 478-121-427 that is in compliance with RCW 34.05.413 through 34.05.476.

The following are factors that may be considered as guidelines to determine whether the issues and interests involved warrant a full adjudicative proceeding:
1) If a respondent has been placed on emergency suspension;

2) If a respondent has been charged with hazing; or

3) If a respondent has been charged with a felony offense under the Washington State Criminal Code related to the alleged prohibited conduct.

A disciplinary sanction of suspension or dismissal will not be imposed on a respondent without the University completing a full hearing, unless those sanctions were applied as a term of an informal settlement.

9. Disciplinary Sanctions

Applicable Disciplinary Sanctions
Sanctions are intended to provide educational opportunities and accountability while also reducing the likelihood of future prohibited conduct. Sanctions may include administrative, educational, and restorative components. Some conduct, however, is so egregious in nature or so damaging to the educational environment that it requires more serious sanctions, including suspension or dismissal.

Under WAC 478-121-210, one or more of the following disciplinary sanctions may be imposed for any violation of this conduct code:

1) Disciplinary Reprimand

A respondent may be issued a written disciplinary reprimand.

2) Disciplinary Probation

A respondent may be placed on disciplinary probation (meaning formal conditions are imposed on the respondent's continued attendance). The time period for the disciplinary probation and any conditions shall be specified. Failure to fulfill conditions of the disciplinary probation in a timely manner will extend the probationary period (and the conditions) and may result in additional disciplinary sanctions.

3) Restitution

A respondent may be required to make restitution for damage or other loss of property and for injury to persons. The University may put a conduct hold in place if the respondent fails to pay or to make in writing University-approved arrangements to pay restitution.

4) Loss of Privileges
A respondent may be denied specified privileges for a designated period of time such as the privilege to participate in a particular campus activity and may be restricted from any or all University premises for a specific duration.

5) **Suspension**

A respondent may be suspended (i.e., temporarily separated) from the University for a specified period of time. Conditions of suspension may be imposed and will be specified. Except as otherwise specified in the final order, all conditions must be fulfilled before the end of the suspension period. Failure to fulfill all conditions of suspension in a timely manner will extend the suspension period and any conditions, and may result in additional disciplinary sanctions. The University may put a conduct hold in place during the suspension period.

6) **Dismissal**

A respondent may be dismissed (i.e., permanently separated) from the University.

7) **Sanctions for Hazing**

In addition to other sanctions, a student who is found responsible for participating in hazing of another shall forfeit any entitlement to state funded grants, scholarships, or awards for a specified period of time.

**Possible Factors for Determining Sanctions**

In determining an appropriate sanction for a violation of the student conduct code, factors that may be considered include, but are not limited to:

- The seriousness, severity, persistence, or pervasiveness of the prohibited conduct;
- The nature or violence (if applicable) of the prohibited conduct;
- The impact on the complainant and/or University community;
- The respondent's past disciplinary record with the University;
- Whether the respondent has accepted responsibility for the prohibited conduct;
- The maintenance of a safe, nondiscriminatory and respectful environment conducive to learning; and/or
- Any other mitigating, aggravating, or compelling factors that the presiding officer determines to be relevant and admissible.

The use of alcohol or drugs by a respondent will not be considered a mitigating factor in imposing discipline.
If a respondent withdraws from the University (or fails to reenroll) before completing a sanction, the sanction must be completed prior to or upon the respondent's reenrollment, depending on the nature of the sanction. Completion of disciplinary sanctions may be considered in applications for readmission to the University.

**Effective Date of Sanctions**  
Under WAC 478-121-213, sanctions will be implemented when a final order becomes effective in the University's conduct proceeding. An initial order that becomes a final order because no administrative review was requested or initiated becomes effective on the day after the period for requesting review has expired.

**10. Initiating Conduct Proceedings**  
**Authority to Initiate Conduct Proceedings and Delegations of Authority in Conduct Proceedings**  
Under WAC 478-121-215, the following University officials may initiate conduct proceedings under the conduct code and this policy:

The Vice President for Student Life at UW Seattle;  
The chancellors at UW Bothell and Tacoma;  
Deans of a school or college (including the graduate school) at UW Seattle; and  
Deans or directors of any school or program at UW Bothell or Tacoma.

The above named University officials may delegate the authority to one or more individuals to initiate conduct proceedings, engage in fact finding, hold hearings, and issue initial orders under the conduct code and this policy. They may also establish student or student/faculty/staff hearing bodies to advise or to act for them in conduct proceedings.

For the purpose of completing administrative reviews under Parts IV and V under the student conduct code:

1) The Chair of the Faculty Senate will appoint one or more faculty to be included in a pool of available reviewing officers; and

2) The President, Vice President for Student Life at UW Seattle, or the chancellors at the UW Bothell and Tacoma campuses may appoint one or more students to be included in a pool of available reviewing officers.

Review Panels, composed of multiple reviewing officers, may be created to complete administrative reviews under Parts IV and V of the student conduct code and Sections 13 and 15 of this policy. Review panels may also include a review coordinator.
Appointment of Reviewing Officers
Under WAC 478-121-217, faculty and students may be appointed to the pool of available reviewing officers at any time by a University official with authority to appoint such individuals. The appointment will be for a specific term, which may be extended at the discretion of a University official with authority to appoint such individuals, and will include any training and other conditions of service.

Faculty candidates for reviewing officers are identified and approved through the same process as used for membership on Faculty Senate councils and are appointed by the Chair of the Faculty Senate.

Efforts will be made to ensure the pool includes available reviewing officers representing the UW Seattle, UW Bothell, and UW Tacoma campuses.

Selection of Review Panels
Under WAC 478-121-220, for each administrative review, an odd number of available reviewing officers will be selected from the pool, based on availability, to form the review panel. Only reviewing officers who are faculty will be selected to serve on review panels for conduct proceedings under this policy. Those selected for the panel will designate a faculty member of the panel to act as chair, with efforts made that the chair be a representative from the campus where the respondent is enrolled.

Training for Presiding Officers and Reviewing Officers
The individuals who are selected to serve as presiding officers and reviewing officers will receive, at a minimum, annual training on the issues related to prohibited conduct under this policy and on conducting conduct proceedings.

Disqualification and Substitution of Presiding Officers and Reviewing Officers
Under WAC 478-121-223, any presiding officer or reviewing officer is subject to disqualification for bias, prejudice, interest, or any other applicable cause. Any party may petition for the disqualification of an individual promptly after receipt of notice indicating that the individual will preside or, if later, promptly upon discovering facts establishing grounds for disqualification. The individual whose disqualification is requested shall determine whether to grant the petition, stating facts and reasons for the determination. An appropriate individual will then be substituted as a presiding or reviewing officer.

If a party requests the disqualification of a presiding officer and that request is denied, the denial of the request may be raised as a reason for seeking administrative review.

Initiating Conduct Proceedings
Under WAC 478-121-225, conduct proceedings may be initiated when the University receives any direct or indirect report of conduct that may violate the student conduct code or this policy,
which may include, 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.

Conduct matters may be initiated under the conduct code regardless of whether or not the incident in question is the subject of criminal or civil proceedings.

**Decision Not to Initiate a Conduct Proceeding**
Under WAC 478-121-227, if the conduct officer decides not to initiate a conduct proceeding when requested by a complainant who, otherwise, would be a party to the proceeding, the conduct officer will provide the complainant with a written decision, including a brief statement of the reasons and of any other options for review.

**Time Frame for Completion and Extension for Good Cause**
As a matter of internal management of the agency, typically, the period from commencement of a conduct proceeding through the service of an initial order in brief adjudicative proceedings or conversion to a full hearing will not exceed 60 calendar days. This guideline is intended to enhance efficiency, but is not intended to adversely affect the rights or procedures available to the complainant and respondent under Chapter 34.05 RCW. This time frame may be extended for good cause.

"Good cause" is interpreted as including factors such as whether additional time is necessary to ensure the integrity and completeness of the fact finding, to comply with a request by external law enforcement for temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, to account for University breaks or vacations, to account for the complexities of a case, including the number of witnesses or volume of information provided, or to comply with Chapter 34.05 RCW.

**Coordination with Law Enforcement**
If the University has initiated a conduct proceeding and the conduct is also subject to a criminal investigation, the University will make reasonable efforts to work cooperatively with the law enforcement agency, but the University will not unduly delay its own process. At the request of law enforcement, the conduct officer may delay the process temporarily while law enforcement is gathering evidence. The conduct officer will promptly resume the process when notified that law enforcement has completed the evidence-gathering stage of its criminal investigation.

**Conduct Hold on Student Record**
Under WAC 478-121-230, a conduct office or other designated University official may place a conduct hold on the student's record if the student is the respondent in a pending report of prohibited conduct, a pending conduct proceeding under the code and this policy, or in conjunction with a disciplinary sanction under the student conduct code. A conduct hold may
restrict the student from registering for classes, requesting an official transcript, or receiving a degree from the University until the hold has been removed. If a conduct hold is put in place pending or during a conduct proceeding, the student will be notified of the hold and be advised how to raise an objection about the hold or request that it be made less restrictive. The hold will remain in place until lifted by the conduct office or other designated University official with authority to do so.

Implementation of any conduct hold does not assume any determination of, or create any expectation of, responsibility for prohibited conduct under the conduct code and this policy.

Typically, a conduct hold will be lifted when circumstances change, where the hold is no longer necessary, or at the completion of a conduct proceeding. If a conduct hold is necessary to monitor a sanction, per Section 9, notification of the hold will be incorporated into the initial order or final order.

**Parties**
Under WAC 478-121-233, the parties to conduct proceedings are typically the University and the respondent. In cases involving discriminatory harassment, sexual harassment, sexual misconduct, intimate partner violence, stalking, or retaliation, the complainant is also a party. In addition, the University may designate other individuals, such as a complainant, as a party to other types of conduct proceedings, or allow individuals to intervene in conduct proceedings. For additional guidance, see Student Governance and Policies, Chapter 209, "Student Conduct Policy for Academic Misconduct and Behavioral Misconduct."

**Interim Protective Measures**
Under WAC 478-121-235, after receiving a report of prohibited conduct, the University may implement interim protective measures that impact a respondent at any time prior to the conclusion of a conduct proceeding. When implemented, the respondent will be advised on how to raise an objection about the interim measure or request that it be made less restrictive. Interim measures will remain in place until lifted or modified by a University official with authority to do so.

Interim protective measures are designed to limit contact between a complainant and respondent and avoid repeated prohibited conduct, if occurring, or potential retaliation against the complainant, an individual who reported, other specified persons, and/or a specific student organization. The specific interim protective measure(s) implemented will vary depending on the circumstances of each report. The implementation of interim protective measures under this policy is monitored by the office of the Title IX Coordinator.

If an interim protective measure is implemented, the respondent will be notified.
Implementation of any interim measure does not assume any determination of, or create any
expectation of, responsibility for prohibited conduct under the conduct code or this policy. A respondent who fails to comply with any interim protective measures may, however, be charged with a "failure to comply" pursuant to WAC 478-121-130. Interim protective measures typically remain in place for the entire conduct proceeding unless circumstances change and there is no longer a need for a specific interim protective measure.

Following are examples of interim protective measures:

1) A No-Contact Directive

A no-contact directive is a University directive prohibiting the respondent from having direct or indirect contact, by any means, with a complainant, an individual who reported, other specified persons, and/or a specific student organization. A no contact directive is a common interim protective measure that is put in place by the conduct officer. When a no-contact directive is put in place, the respondent is notified.

2) Housing Reassignments

In accordance with University housing agreements, a student may be reassigned to other University housing under certain circumstances as necessary.

3) Limiting the Respondent's Access to, or Limiting Participation in, Identified University-Controlled Buildings, Programs, or Activities

University employees or others with authority over the building, program, or activity are typically consulted regarding appropriate interim protective measure and/or may implement the interim protective measure.

4) Changes to Class Schedules, Assignments, or Test Schedules

This may include moving the respondent to a different class time or section. Efforts are made to avoid an impact on the respondent's academic progress.

5) Emergency Suspension

Authority to place a student on emergency suspension is set forth in Section 10.M below.

Certain interim protective measures may also be put in place as a condition of a sanction, per Section 9 above, and notification of the condition will be incorporated into the initial or final order.

Emergency Authority of the University

Under WAC 478-121-237, if there is reasonable cause to believe that a student's conduct represents a threat to the health, safety, or welfare of the University or any member of the
University community, or poses an ongoing threat of substantially disrupting or materially interfering with University activities or operations, the President, the President's delegate, the Vice President for Student Life for UW Seattle or delegates, and the chancellors of the UW Bothell and Tacoma campuses or delegates may immediately suspend that student from participation in any or all University functions, privileges, or locations.

In such an emergency situation, the University official placing the student on emergency suspension shall issue a written order to be served upon the student describing the terms of the emergency suspension and the reasons for the emergency suspension. The order shall advise the student how to raise an objection about the emergency suspension or request that it be made less restrictive. The University may also put a conduct hold in place during the emergency suspension period.

The order shall be effective immediately. The proceeding shall then be referred to the appropriate conduct office and the proceeding shall proceed as quickly as feasible. The emergency suspension shall remain in effect until lifted or revised by a University official with authority to do so or until a final order is entered in the proceeding. Once a final order is entered in the proceeding, any emergency suspension shall be lifted and the sanction, if any, will be imposed.

To the extent permissible under applicable law, the complainant or other member of the University community may also be provided with notice of the respondent's emergency suspension and any terms of the emergency suspension that directly relate to that individual.

**Service of Notices, Filings, and Orders; and Time Limits**

Service of all University notices will be sent by electronic mail (email) addressed to the party's University-issued email address. An alternative email address may be provided to the presiding officers and reviewing officers in writing. Service is complete at the moment the email is sent to the email address. If there is no email on record, service may also be accomplished by personal service or by posting it in the United States mail, properly addressed, and postage prepaid. Service by mail is complete upon deposit in the United States mail.

The parties are permitted to file documents with the presiding officer or reviewing officer(s) via email or other electronic means as determined by the presiding officer or reviewing officer(s). Receipt of such documents will be determined by the date of the email. For documents that must be shared with other parties, the University will be responsible for service of such documents, as above.

In computing any period of time under the conduct code and this policy, the day of service of any order, notice, or other document is not counted. The last day of the applicable period of time is counted. If the last day of the applicable period of time falls on a Saturday, Sunday, or
official state holiday (which includes the day after Thanksgiving), the period ends on the next business day. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays, and holidays shall be excluded in the computation.

The time limit for seeking administrative review of an initial order is based upon the date of service of the initial order.

University students and employees have an ongoing obligation to update their physical and email addresses via MyUW. Others involved in the conduct proceeding who are not affiliated with the University have an obligation to notify the conduct officer of any change to their physical or email addresses.

**Participation of Advisors and Attorneys**

Under WAC 478-121-243, the parties to conduct proceedings may, at their own expense, be accompanied by an advisor of their choice, including an attorney, throughout the conduct proceedings. In a brief adjudicative proceeding, an advisor may provide support and advice, but an advisor may not speak on behalf of the student or disrupt or interfere with any aspect of the brief adjudicative proceeding, as determined by the conduct officer. In a full adjudicative proceeding, including any prehearing matters, if the party's advisor is an attorney, the attorney may advise and represent the party, but the advisor may not disrupt or interfere with any aspect of the proceeding, as determined by the hearing officer or reviewing officer(s).

Advisors should make themselves reasonably available and the University will not unduly delay the conduct proceeding based on the advisor's or attorney's unavailability. Advisors may be asked to meet with a University administrator in advance of any participation in the proceeding to learn about the process and the expectations of the role.

**Consolidation**

Under WAC 478-121-245, if there are multiple conduct proceedings involving common issues or parties, the parties may request, or the presiding officer may decide, to consolidate the proceedings. This decision is within the sole discretion of the presiding officer.

**Burden of Proof**

Under WAC 478-121-247, the burden of proof in conduct proceedings rests with the University.

**Disability Accommodation**

The University provides reasonable accommodation to individuals involved in the conduct process, including interpreter services for deaf and hard of hearing, in accordance with relevant federal and state laws and University policies. To request disability accommodation, contact a disability services office (see the Student Conduct website).
11. Evidence

Evidence in Conduct Proceedings
Under WAC 478-121-250, the following evidentiary provisions apply to conduct proceedings under the student conduct code and this policy. In applying the code, due consideration shall be given to the fact that the conduct process is administrative and not judicial in nature and that rules of evidence only apply to the extent set forth in the code or in Chapter 34.05 RCW. This policy also provides guidance regarding the University's interpretation of those rules.

While brief adjudicative proceedings do not require the application of rules of evidence, the conduct officer will be guided by the principles underlying the Washington State Rules of Evidence when they do not conflict with the code or relevant University policies.

Relevant Evidence, Hearsay, and Character Evidence
Under WAC 478-121-253, evidence, including hearsay, is admissible if, in the judgment of the presiding officer, it is the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs. Findings may be based on such evidence even if it would be inadmissible in a civil trial. In a full hearing, however, the hearing officer shall not base a finding exclusively on such inadmissible evidence unless the hearing officer determines that doing so would not unduly abridge the parties' opportunities to confront witnesses and rebut evidence. The basis for this determination shall appear in the initial order.

The presiding officer will determine the admissibility and relevance of all evidence, including that offered by the parties and/or witnesses, and shall exclude evidence that is excludable on constitutional or statutory grounds or on the basis of evidentiary privilege recognized in the courts of this state. The presiding officer may exclude from consideration evidence that is not relevant. The presiding officer may also exclude from consideration evidence that is immaterial or unduly repetitious.

In general, the presiding officer will not consider statements of personal opinion or statements as to any individual's general reputation or any character trait, unless the presiding officer considers such evidence to be relevant and admissible.

The presiding officer may take judicial notice of some material that was not offered as evidence by the parties. In full adjudicative proceedings, the process for taking judicial notice is set forth in RCW 34.05.452.

Prior or Subsequent Conduct of the Respondent
Under WAC 478-121-255, prior or subsequent conduct of the respondent may be considered in determining opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake. The presiding officer will determine the relevance and admissibility of this evidence.
Prior Sexual History
Under WAC 478-121-257, the sexual history of the parties or witnesses will not be used to prove character or reputation. Evidence related to the prior sexual history of the parties or witnesses is generally not relevant to the determination of a violation of the code and will be considered only in limited circumstances. The presiding officer will determine the relevance of this evidence.

Experts
Under WAC 478-121-260, presiding officers may consult medical, forensic, technological, or other experts when expertise on a topic is needed in order to achieve a fuller understanding of the issues under investigation. This information will be summarized in the initial order.

Generally, results of polygraph examinations are not considered relevant, even if offered voluntarily.

Self-Incriminating Evidence
Under WAC 478-121-263, no student shall be compelled to give self-incriminating evidence and a negative inference will not be drawn from a refusal to participate at any stage of the conduct proceeding. The presiding officer may, however, continue with the conduct proceeding and reach a finding based on other available and admissible evidence.

Criminal Conviction
Under WAC 478-121-265, the presiding officer may accept a conviction of a crime under any federal, state, or local law as the evidentiary basis for establishing prohibited conduct under the code when the elements of that crime establish prohibited conduct under the student conduct code and this policy that adversely affects a University interest.

Law Enforcement Records
When available to the University, information provided by law enforcement, or through law enforcement records, may be considered in the University's conduct proceedings.

Medical or Counseling Records
In general, an individual's medical and counseling records are confidential and not accessible to the conduct officer unless the individual voluntarily chooses to share those records. In those instances, the information, if determined to be relevant, may be shared with other parties or witnesses and will become part of the record. Individuals who are considering submitting such records are urged to consult with the conduct officer prior to providing such records to learn more about how those records may be shared and retained.
12. Brief Adjudicative Proceedings

Notice of Conduct Proceeding and Investigative Interview
Under WAC 478-121-300, the conduct officer will provide notice to the parties, in writing, of the commencement of conduct proceedings, which will include information on how to petition for disqualification of the conduct officer.

The notice will include:

A brief description of the alleged misconduct;

The specific section(s) of the student conduct code allegedly violated; and

Information about the range of sanctions that may be imposed in a conduct proceeding.

The conduct officer will also schedule an investigative interview with the respondent as part of the fact-finding process.

Fact Finding
Under WAC 478-121-305, before taking action in a brief adjudication proceeding, the conduct officer shall give each party an opportunity to be informed of the agency's view of the matter and to explain the party's view of the matter. This process includes, without limitation, conducting fact finding and providing the parties with the opportunity to participate in the conduct proceeding by explaining the process to the parties and allowing them to review the allegations, provide evidence, identify witnesses with relevant knowledge, respond to evidence provided by others, and provide the conduct officer with suggested questions for others (collectively, "fact finding").

As part of the fact finding process and prior to its completion, the conduct officer will notify and provide the opportunity to meet separately with the complainant, the respondent, and third-party witnesses. Each party will also be asked to identify witnesses and provide other relevant information, such as documents, communications, photographs, and other evidence. The conduct officer is responsible for gathering reasonably available evidence and information.

If a party fails to respond to notices or does not participate in the conduct proceeding at any stage of the proceeding, the University may move forward with the conduct proceeding without the participation of a party.

Standard of Proof
Under WAC 478-121-310, the applicable standard of proof is the "preponderance of evidence" standard. This means that, in order for a respondent to be held responsible for a violation of the student conduct code and this policy, the conduct officer must conclude, based on all of the
evidence in the record, that it is more likely than not that the respondent engaged in an act or acts of conduct prohibited by the code.

**Initial Order**
Under WAC 478-121-315, at the conclusion of the fact finding, the conduct officer will prepare an initial order. If the respondent is found responsible, the conduct officer will impose a sanction. The conduct officer will serve the initial order to the parties, simultaneously and in writing. The initial order will include a brief written statement of the reasons for the decision and an explanation of how to request administrative review of the initial order and the time frame to do so.

13. **Brief Adjudicative Proceeding Administrative Review**

**Requesting Administrative Review**
Under WAC 478-121-320, a party may request administrative review of the initial order based on the grounds as set forth in WAC 478-121-325.

A request for administrative review must be submitted in writing to the conduct officer within 21 days of the date of service of the initial order. The party requesting the review will be provided with an opportunity to explain the reasons for seeking review. If one of the grounds is to consider newly discovered evidence, that evidence must also be provided with the request for review.

If an administrative review is not requested within 21 days of service of the initial order, the initial order shall become the final order.

**Grounds for Administrative Review**
Under WAC 478-121-325, a party may request administrative review for any or all of the following reasons:

To determine whether there was a material error that substantially affected the outcome of the fact finding or sanctioning;

To consider newly discovered evidence, not reasonably available during the fact finding, that could substantially impact the outcome; or

To determine whether the sanction(s) imposed were appropriate for the violation committed and were not excessively lenient or excessively severe; or

To determine whether the issue and interests involved warrant a full hearing.
Notice of Administrative Review
Under WAC 478-121-330, if administrative review is requested, the University will provide the parties notice, in writing, of the date the administrative review will be initiated and the identities of the reviewing officer(s) selected for the review panel. The parties will also be provided with information on how to petition for disqualification of any reviewing officer(s).

Other parties will be provided with a copy of the request for administrative review and notice of how to submit a written response. Responses must be submitted within five business days of service of the notice of administrative review.

Procedures for Administrative Review
Under WAC 478-121-335, when the reviewing officer(s) conducts an administrative review, the review is based on:

1) The conduct officer's record and fact finding;

2) Information submitted to the review panel in the request for review or response to request for review; and

3) Newly-discovered evidence, if the basis for seeking administrative review is that newly-discovered evidence has become available; however the review of newly-discovered evidence is limited to determining whether the newly-discovered evidence warrants remanding the matter for further proceedings.

Decisions by a panel of reviewing officers will be determined by majority vote.

Order from Administrative Review
Under WAC 478-121-340, within 20 days after the request is submitted, the review panel will issue an order, which will include the outcome, any sanction, and a brief statement of the reasons for the outcome. All parties will receive simultaneous, written notification of the outcome of the review.

The reviewing officer(s) may reach one of the following results:

Conclude there is no basis for remand or alteration of sanctions, and issue a final order disposing of the proceeding;

Remand for further fact finding or review if newly-discovered evidence may have impacted the result or if the record demonstrates material error;

Increase or reduce the sanction(s) and issue a final order, if the increased sanction does not warrant a full hearing; or
Conclude whether the proceeding should be converted to a full adjudicative proceeding and, if so, take steps necessary to initiate a full hearing.

If the review panel does not issue an order within 20 days after the request is submitted, the request for review is deemed to be denied.

**Process Following Remand from Administrative Review or Conversion**
Under WAC 478-121-345, if the proceeding is remanded or converted to a full adjudicative proceeding following administrative review, the initial order will be rescinded and the reviewing officer(s) will describe, in writing, the reasons for the remand or conversion.

Following remand, additional proceedings will be conducted as necessary to address the reasons for the remand or conversion and will be conducted in accordance with the relevant sections of the code.

**14. Full Adjudicative Proceedings and Full Hearing**

**Notice of Full Hearing**
Under WAC 478-121-400, the hearing officer shall set the time and place of the full hearing and give not less than seven days advance written notice to all parties and to all persons who have filed written petitions to intervene in the matter. The notice will include information on how to petition for disqualification of the hearing officer.

**Prehearing Conferences**
Under WAC 478-121-403, hearing officers upon their own motion or upon request of a party may direct the parties or their representatives to engage in a prehearing conference or conferences to consider:

- Simplification of issues;
- The necessity or desirability of amendments to the pleadings, if any;
- The possibility of obtaining stipulations, admissions of fact and admissions of the genuineness of documents which will avoid unnecessary proof;
- Limitations on the number and consolidation of the examination of witnesses;
- Procedural matters;
- Distribution of written testimony and exhibits to the parties prior to the hearing;
- Such other matters as may aid in the disposition or settlement of the proceeding.

Prehearing conferences may be held by telephone conference call or at a time and place specified by hearing officers.
Following prehearing conferences, hearing officers shall issue an order. Orders are effective when they are served. Hearing officers may, at their discretion, hold more than one prehearing conference and issue orders modifying any prehearing order.

In any full hearing, hearing officers may, in their discretion, conduct a conference prior to the taking of testimony, or may recess the hearing for such conference, for the purpose of carrying out the purpose of this provision. The hearing officer shall state on the record the results of such conference.

**Record for the Full Hearing**
Under WAC 478-121-205, the conduct officer's record will be included in the record for the full hearing. Prior to the hearing, the conduct officers' record is provided the parties for review. The parties are given the opportunity, typically finalized through the prehearing conference, to request that evidence be included in or excluded from the record.

Under WAC 478-121-253, the hearing officer will determine the admissibility and relevance of all evidence, including that offered by the parties and/or witnesses.

**Discovery**
Under WAC 478-121-405, discovery, including depositions, interrogatories, requests for production, entry onto land for inspection or other purposes, and physical and mental examinations, is not available in conduct proceedings under the student conduct code and this policy.

**Subpoenas**
Under WAC 478-121-407, the hearing officer may issue subpoenas. The parties may also request that the hearing officer issue subpoenas or a party's attorney of record may also issue a subpoena in whose behalf the witness is required to appear at a full hearing. The requesting party is responsible for serving the subpoena upon the witness. In the discretion of the hearing officer, and where the rights of the parties will not be prejudiced thereby, such testimony may be by telephone or other electronic means.

**Protective Orders**
Under WAC 478-121-410, the hearing officer may enter protective orders, which limit the admissibility of evidence or condition it on specified criteria necessary to protect a party or a witness from annoyance, embarrassment, oppression, or undue burden or expense, or to comply with any applicable law.

**Pleadings, Briefs, and Motions**
Under WAC 478-121-413, at appropriate stages of full adjudicative proceedings, the hearing officer will give all parties full opportunity to submit and respond to pleadings, motions, objections, and offers of settlement, including motions for summary judgment.
At appropriate stages of full adjudicative proceedings, the hearing officer may give all parties full opportunity to file briefs, proposed findings of fact and conclusions of law, and proposed initial or final orders.

The hearing officer has the discretion to decide and dispose of all issues raised in accordance with this section.

**Communications with Hearing Officer**
Under WAC 478-121-415, all communications with the hearing officer, except for communications necessary to procedural aspects of maintaining an orderly process, must be in the presence of, or with a copy to, all other parties. Ex parte communications received by the hearing officer must be placed on the record, and all other parties must be informed of the ex parte communication and given an opportunity to respond on the record.

**Standard of Proof in Full Hearings**
Under WAC 478-121-417, the applicable standard of proof is the "preponderance of evidence" standard. This means that, in order for a respondent to be held responsible for prohibited conduct under the student conduct code and this policy, the hearing officer must conclude, based on all of the evidence in the record, that it is more likely than not that the respondent engaged in an act or acts of prohibited conduct.

**Continuances**
Under WAC 478-121-420, the hearing officer has the discretion to grant postponements, continuances, extensions of time, and adjournments or upon a request of any party, if the party shows good cause.

A request for a continuance may be oral or written. If all parties do not agree to the continuance, the hearing officer may schedule a prehearing conference to receive argument or may rule on the request without argument.

**Testimony under Oath or Affirmation**
Under WAC 478-121-423, in a full hearing, all testimony of parties and witnesses shall be made under oath or affirmation.

**Remote Participation**
Under WAC 478-121-425, at the discretion of the hearing officer, and where the rights of the parties will not be prejudiced thereby, all or part of any hearing, including the testimony of witnesses, may be conducted by telephone or other electronic means. Each party in the hearing must have an opportunity to participate effectively in, to hear, and if technically and economically feasible, to see the entire proceeding while it is taking place. Such measures may be taken to accommodate concerns raised by a complainant, a respondent, or any witness.
Procedure in Full Hearing
To the extent necessary for full disclosure of all relevant facts and issues, the hearing officer shall afford to all parties the opportunity to respond, present evidence and argument, conduct cross-examination, and submit rebuttal evidence, except as restricted by a limited grant of intervention or by the prehearing order.

The respondent and a complainant may not ask questions of each other directly, but will be allowed to submit written questions to the hearing officer, who will ask any relevant and appropriate questions submitted by these parties. The hearing officer has the discretion to accept, reject, or rephrase any question submitted by the respondent or a complainant.

Initial Order from Full Hearing
Under WAC 478-121-427, at the conclusion, the hearing officer will issue an initial order, which shall include all matters required by RCW 34.05.461(3). The hearing officer will serve the initial order to the parties, simultaneously and in writing. The initial order will include an explanation of how to request administrative review of the initial order and the time frame to do so.

If an administrative review is not requested within 21 days of service of the initial order, the initial order shall become the final order.

15. Administrative Review from Full Hearings
Requesting Administrative Review from a Full Hearing
Under WAC 478-121-430, a party may request administrative review of the initial order from a full hearing based on the grounds as set forth in WAC 478-121-433.

A request for administrative review must be submitted in writing to the hearing officer within 21 days of the date of the initial order. If one of the grounds is to consider newly discovered evidence, that evidence must be provided with the request for review.

If an administrative review is not requested within 21 days the initial order shall become the final order.

Grounds for Administrative Review from a Full Hearing
Under WAC 478-121-433, a party may request administrative review for any or all of the following reasons:

To determine whether there was a material error that substantially affected the outcome of the fact finding or sanctioning;

To consider newly discovered evidence, not reasonably available during the fact finding, that could substantially impact the outcome;
To determine whether the sanction(s) imposed were appropriate for the violation committed and were not excessively lenient or excessively severe; or

Any other grounds that would warrant modification, withdrawal, or reversal of the order.

**Notice of Administrative Review from a Full Hearing**
Under WAC 478-121-435, if administrative review is requested, the University will provide the parties notice, in writing, of the date the administrative review will be initiated and the identities of the reviewing officer(s) selected for the review panel. The parties will also be provided with information on how to petition for disqualification of any reviewing officer(s).

Other parties will be provided with a copy of the request for administrative review and notice of how to submit a written response. Responses must be submitted within five business days of service of the notice of administrative review.

**Procedures for Administrative Review from a Full Hearing**
Under WAC 478-121-437, when the reviewing officer(s) conducts an administrative review, the reviewing officer(s) shall:

1) Personally consider the whole record or such portions of it as may be cited by the parties;

2) Exercise all the decision-making power that the reviewing officer would have had to decide and enter the final order had the reviewing officer presided over the hearing, except to the extent that the issues subject to review are limited by a provision of law or by the reviewing officer(s) upon notice to all the parties;

3) Afford each party an opportunity to present written argument and may afford each party an opportunity to present oral argument to explain the party's position but any such argument shall not be considered as evidence;

4) Review information submitted to the review panel in the request for review or response to request for review; and

5) Review newly discovered evidence, if the basis for seeking administrative review is that newly discovered evidence has become available; however the review of newly-discovered evidence is limited to determining whether the newly-discovered evidence warrants remanding the matter for further proceedings.

In reviewing findings of fact by presiding officers, the reviewing officers shall give due regard to the presiding officers' opportunity to observe the witnesses.

Decisions by the reviewing officer(s) will be determined by majority vote.
Communications with Reviewing Officers
Under WAC 478-121-440, all communications with reviewing officers, except for communications necessary to procedural aspects of maintaining an orderly process, must be in the presence of, or with a copy to, all other parties. Ex parte communications received by reviewing officers must be placed on the record, and all other parties must be informed of the ex parte communication and given an opportunity to respond on the record.

Order from Administrative Review of Full Hearing
Under WAC 478-121-443, within 30 calendar days of receipt of all response(s) submitted by the parties or oral argument (if any), whichever is later, the reviewing officer(s) will issue an order, which will include the outcome, any sanction, and a brief statement of the reasons for the outcome. All parties will receive simultaneous, written notification of the outcome of the review.

The reviewing officer(s) may reach one of the following results:

Conclude there is no basis for remand or alteration of sanctions, and issue a final order disposing of the proceeding;

Remand for further fact finding or review if newly discovered evidence may have impacted the result or if the record demonstrates material error with instructions to the presiding officer who entered the initial order;

Increase or reduce the sanction(s), and issue a final order disposing of the proceeding; or

Issue a final order disposing of the proceeding or remand the matter for further proceedings on any other grounds that would warrant modification, withdrawal, or reversal of the order, with instructions to the presiding officer who entered the initial order.

When issuing orders under this section, the order shall include, or incorporate by reference to the initial order, all matters required by RCW 34.05.461(3).

The reviewing officer will serve the order to the parties, simultaneously and in writing.

Process Following Remand from Administrative Review of a Full Hearing
Under WAC 478-121-445, if the proceeding is remanded, the initial order will be rescinded and the reviewing officer(s) will describe, in writing, the reasons for the remand. Following remand, additional proceedings will be conducted as necessary to address the reasons for the remand.

At the conclusion, the hearing officer will issue an initial order, which shall include all matters required by RCW 34.05.461(3). The hearing officer will serve the initial order to the parties, simultaneously and in writing. The initial order will include an explanation of how to request administrative review of the initial order and the time frame to do so.
If an administrative review is not requested within 21 days of service of the initial order, the initial order shall become the final order.

**Judicial Review**

Once a final order has been issued by the University, complainants or respondents may seek judicial review as set forth in Chapter 34.05 RCW, the Washington State Administrative Procedure Act. The time limit for seeking judicial review of a final order is set forth in RCW 34.05.542.

**16. Reconsideration of Final Orders in Full Adjudicative Proceedings**

**Reconsideration of Final Orders**

Under WAC 478-121-447, within ten days of the service of a final order or within ten days of the date an initial order becomes a final order, any party may file a request for reconsideration. The request shall be directed to the officer(s) who issued the final order and state in writing specific reasons for the request. Upon receipt, the officer(s) shall promptly serve all other parties with a copy of the request for reconsideration.

Unless the request for reconsideration is automatically deemed to have been denied under WAC 478-121-450, the request shall be disposed of by the officer(s) who issued the final order, if reasonably available. The disposition shall be in the form of a written order denying the request, granting the request and dissolving or modifying the final order, or granting the request and setting the matter for further hearing.

**Denial of Request for Reconsideration**

Under WAC 478-121-450, the request for reconsideration is automatically deemed to have been denied if, within 20 days from the date the request for reconsideration is timely submitted, the officer(s) who issued the final order does not either:

1) Dispose of the request; or

2) Serve the parties with a written notice specifying the date by which the request will be acted upon.

**17. Privacy and Records**

**Privacy in a Full Hearing**

Under WAC 478-121-453, in accord with the Family Educational Rights and Privacy Act (FERPA), (20 U.S.C. Sec. 1232g) and its implementing regulations (34 C.F.R. Part 99), all meetings or reviews conducted under the student conduct code and this policy generally will be held in closed session out of respect for the privacy of all the students involved.
In a full hearing, the hearing officer may close parts of a hearing under any provision of law expressly authorizing closure or under a protective order entered by the hearing officer pursuant to applicable rules and the hearing officer may order the exclusion of witnesses upon a showing of good cause.

Students may, at their sole discretion, waive their rights under FERPA in writing. The scope of any FERPA waiver and any protective order entered by the hearing officer will determine who can have access to information that would otherwise be protected from disclosure by FERPA, including without limitation who can be present at any hearing held in a full adjudicative proceeding under the code and this policy. If the hearing is open to public observation, the hearing officer shall conduct the hearing in a room that will accommodate a reasonable number of observers. The hearing officer may issue a protective order to exclude from the hearing any persons who are disruptive of the proceedings and may limit the number and activities of the observers as necessary to protect the safety of the participants and observers and to assure a fair hearing.

To ensure the privacy of all students involved, no cameras or recording devices shall be permitted except for the official recording by the University; however, if FERPA or other federal or state law implicated by RCW 34.05.040 does not preclude it, then any party, at the party's expense, may cause a reporter approved by the agency to prepare a transcript from the agency's record, or cause additional recordings to be made during the hearing if the making of the additional recording does not cause distraction or disruption. If a party intends to make a recording of the proceeding, the party shall advise the hearing officer prior to the prehearing conference so that any issues related to making an additional recording can be addressed prior to the full hearing.

**General Recordkeeping**

Under WAC 478-121-500, records related to conduct proceedings shall be maintained consistent with RCW 34.05.476 and 34.05.494, University records retention policies, and other relevant policies.

**Disciplinary Record**

Under WAC 478-121-510, any final order resulting from conduct proceedings shall become a part of the respondent's disciplinary record. Student disciplinary records are "education records" as defined by FERPA and may only be disclosed consistent with FERPA and Chapter 478-140 WAC.

This may include, but is not limited to, releasing to the alleged victim of a crime of violence or a non-forcible sex offense the final results of the conduct proceeding conducted by the University involving the student who is alleged to have engaged in that crime or offense.
Effective August 18, 2017, the University has a new Student Conduct Code and two companion policies.

**University of Washington Student Governance and Policies**

*Student Governance and Policies Chapter 209- Student Conduct Policy for Academic Misconduct and Behavioral Misconduct*

**University of Washington Student Conduct Code**

*Chapter 478-121 WAC - Student Conduct Code for the University of Washington*

Investigations are designed to provide a prompt, fair, and impartial complaint investigation and resolution, and to equitably protect the rights of individuals participating in the investigation. Participants may be supported by an advisor that may be an attorney throughout the process. The following is general information about the investigation process.

The individuals who conduct University investigations or participate in University hearings receive, at a minimum, annual training on the issues related to domestic violence, relationship violence, stalking, sexual assault, and retaliation and on conducting investigations and hearings that fosters safety, equitable treatment of the parties, and that promote accountability.

First, a staff member of the investigation office meets with each complainant to gather information about the complaint and to provide information about the complaint process, including the complainant's rights and options under this and other University policies. After initial review of the complaint, the complainant will be informed of the action the University will take.

Before an investigation is opened, protective measures will be considered and implemented as they are reasonably available. Protective measures may include changing academic, living, transportation, and/or working arrangements, and taking steps to limit contact between the individuals involved. As necessary, investigation offices will assist individuals potentially at risk with safety planning, either directly or with the assistance of other University offices, such as the confidential advocates or SafeCampus.

When an investigation is opened, the subject of the investigation will be provided with a written explanation of their rights and options under this and other relevant University policies and information about the investigation process. The assigned investigator will gather evidence, conduct interviews of the complainant, subject, and witnesses. During the investigation, the complainant and the subject will have the opportunity to identify witnesses and provide the investigator with evidence. The university strives to complete the investigation within 60 days.

The University uses a "preponderance of evidence" standard to determine whether a violation of University policy has occurred. "Preponderance of evidence" means that based on all of the relevant evidence, the facts demonstrate that it is "more likely than not" that the subject of the investigation violated one or more University policies.
The complainant and the subject of the complaint will concurrently be informed in writing of the result of the investigation, the rationale for the result, and whether there is an option to appeal a result. The result includes any initial, interim, or final decisions. The university’s goal is to complete investigations within 60 business days. This timeframe may need to be extended depending on the complexity of the matter or to coordinate with law enforcement.

The University follows the Student Conduct Code or the Faculty Code in matters where a University student or faculty member is the subject of a complaint. In accordance with these processes, a hearing may be convened to assess the evidence relating to the complaint, make findings, and determine appropriate actions, if any. The complainant and subject will be concurrently informed in writing of the result of the hearing, the rationale for the result, and whether there is an option to seek an appeal. The result includes any initial, interim, or final decisions.

Information relating to an investigation is kept confidential by the investigation offices and is provided only to those persons who have a legitimate educational or business need to know, including the subject of the complaint, witnesses, the administrative head of the University unit involved, the Title IX Coordinator, and the appropriate human resources staff and/or the Provost’s Office, as necessary. Some information relevant to the investigation may be protected from disclosure, such as healthcare information protected by the Health Insurance Portability and Accountability Act (HIPAA) or student records protected by the Family Educational Rights and Privacy Act (FERPA).

**Available Sanctions**

A University community member who engages in behavior in violation of university is subject to corrective or disciplinary action, including but not limited to, termination of employment, termination from educational programs, or termination of any non-employment relationship. The available sanctions depends on the relationship to the University of the person against whom the complaint is made:

- Sanctions which may be imposed against faculty are set forth in the Faculty Code;
- Sanctions which may be imposed against students are set forth in Chapter 478-120 WAC, Student Conduct Code for the University of Washington (effective August 18, 2017, sanctions which may be imposed against students are set forth in Chapter 478-121 WAC, Student Conduct Code for the University of Washington and the companion policies, Student Governance and Policies Chapters 209 and 210);
- Sanctions which may be imposed against contract classified staff and other represented University employees are set forth in the relevant University of Washington labor contract;
- Sanctions which may be imposed against classified non-union staff are set forth in Title 357 WAC and in Administrative Policy Statement 43.16, Corrective Action Policy for Permanent Classified Non-Union Staff;
- Sanctions which may be imposed against professional staff are set forth in Administrative Policy Statement 42.1, Professional Staff Program, and the University of Washington Professional Staff Program details;
Sanctions which may be imposed against those in librarian appointments are set forth in the Librarian Personnel Code; and
Sanctions against other individuals will depend on the nature of their relationship with the University.

Individuals may also be removed from University premises, temporarily or permanently banned from the University premises, and/or subject to arrest and/or criminal prosecution.

**Sex Offenders**
In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974 and Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921), the University of Washington provides a link to the Washington State Sex Offender Registry. All sex offenders are required to register in the State of Washington. Institutions of higher education in Washington are notified if that person is employed, carries a vocation or is a student at that institution. The registry is available at: [http://www.waspc.org/](http://www.waspc.org/)

In addition, all sex offenders are required to deliver written notice of their status as a sex offender to the University of Washington Vice President for Student Life no later than three (3) business days prior to their enrollment in, employment with, volunteering at or residence at the University of Washington. Such notification may be disseminated by the University of Washington to, and for the safety and well-being of, the campus community, and may be considered by the University of Washington for enrollment and discipline purposes.

**MISSING PERSON POLICY AND PROTOCOL**
In compliance with the Higher Education Opportunity Act (P.L. 110-315), UW Bothell maintains a missing student policy for UW Bothell students living on-campus, which includes the option to register a confidential contact for investigation of a missing person, how to report a missing person, and notification protocol for persons determined to be missing.

**Registering a Confidential Contact**
It is also UW Bothell's policy to notify parents or guardians of students less than 18 years old who are not legally emancipated within 24 hours of being determined missing. Parent or Guardian contact information must be provided upon move in to the Residential Life Staff.

**Emergency Contact Information**
At the beginning of each academic year, all students residing in on-campus housing will be notified of the following:

1. Students will have the opportunity to identify a contact person or persons through their electronic housing operations;
2. The University will notify the designated person or persons within 24 hours of the determination that the student has been determined to be missing by law enforcement;
3. That this contact information will be confidential and will be accessible only to authorized University officials, and it will not be disclosed except to law enforcement personnel involved in a missing persons investigation;
4. For students who are 18 years of age or older, this notification to the designated emergency contact person will be done within but no later than 24 hours after the student is determined to be missing. For students under 18 years of age and not emancipated, the University must notify the student’s custodial parent or guardian within 24 hours of the determination that the student is missing and will also notify the student’s designated emergency contact person;
5. The University will also notify the appropriate law enforcement agency within 24 hours of the determination that the student is missing whether or not the student identifies an emergency contact person.

The Office of Student Affairs has developed methods for collection of emergency contact information and for storage of information in such a manner that confidentiality can be maintained but assure that the information is readily available to law enforcement investigators when needed.

**How to Report a Missing Person**

If you believe a person is missing, you can report to any of the following law enforcement or campus security authorities on campus:

- The Bothell Police Department: Dial 911
- The Campus Safety Department: 425.352.5359

If you report a missing person to any UW official, he/she must make a report to the local police authority immediately.

**Missing Person Protocol**

When UW Bothell staff receives a report of a student living in on-campus housing who is missing more than 24 hours, University protocol includes the following, which must be performed within 24 hours of receiving the report:

- UW Bothell staff notifies Campus Security and Bothell Police.
- An administrator accesses the missing student’s confidential contact and releases the information to police or to the confirmed requesting law enforcement agency.
- Either UW Bothell or a law enforcement agency notifies the missing student’s emergency contact (typically parent(s) or guardian(s)) if he/she is less than 18 years old and not legally emancipated.

The Police Department will initiate a police investigation for a missing person and will notify the appropriate law enforcement agency of all confirmed missing students as necessary. Additionally, if a student registers multiple emergency contacts, UW Bothell and/or Police will contact all registered persons even if one of the contacts states the student is not missing,
unless the person reported missing contacts UW Bothell or the law enforcement agency. Police will document all unsuccessful attempts at locating the missing person as part of their investigation.

**DEFINITION OF REPORTABLE CRIMES**

*Criminal Homicide*—Manslaughter by Negligence—The killing of another person through gross negligence.

*Criminal Homicide*—Murder and Non-negligent Manslaughter—The willful (non-negligent) killing of one human being by another.

**Sex offenses**—Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

a. *Rape*—The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

b. *Fondling*—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

c. *Incest*—Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

d. *Statutory rape*—Non-forcible sexual intercourse with a person who is under the statutory age of consent.

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

*Aggravated Assault*—An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used, which could and probably would result in serious personal injury if the crime were successfully completed.)

*Burglary*—The unlawful entry of a structure to commit a felony or a theft; for reporting purposes this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

*Motor Vehicle Theft*—The theft or attempted theft of a motor vehicle. (This includes all cases where automobiles are taken by persons not having lawful access, even if the vehicles are later abandoned—including joyriding.)
**Arson**—Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Liquor law Violations**—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.

**Drug Abuse Violations**—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; includes the unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. These statistics include arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

**Weapons: Carrying, Possessing, etc.**—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.

**Referred for campus disciplinary action (Liquor Laws, Drugs and Weapons Violations)**—The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

**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. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not include acts covered under the definition of domestic violence.

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

**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 to suffer substantial emotional distress. For the purpose 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. “Substantial emotional distress” means significant mental suffering or anguish that
may, but does not necessarily, require medical or other professional treatment or counseling. “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.

_Hate crime_- A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. For the purposes of this section, the categories of bias include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin and disability. The crimes of Larceny-Theft, Simple Assault, Intimidation, or Destruction, Damage, Vandalism of Property are also reported under Clery Act requirements if it is determined the victim was intentionally selected because of the perpetrator’s bias against the victim.

_Larceny-Theft (Except Motor Vehicle Theft)_—The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another, including attempted larcenies; embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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

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

_Destruction/Damage/Vandalism of Property_—To 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.
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# University of Washington Bothell Crime Statistic Arrests

## OTHER OFFENSES

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### Arson

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Cascadia College Crime Statistics Arrest

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<tr>
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<td>2017</td>
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CAMPUSS FIRE STATISTICS

The Higher Education Act of 2008 requires disclosure of fire safety standards and measures for on-campus student housing facilities. This report herein includes fire statistics for the 2012 calendar year, fire safety systems installed in each housing building, number of fire drills supervised each year, policies on ignition sources (smoking, open flame, portable electrical appliances, etc.), procedures for fire evacuation and policies on fire safety education and training for the UW Bothell buildings. For questions regarding the Fire Safety portion of this report, please phone EH&S at (206) 543-0465.

University of Washington Bothell Fire Safety Report

The Higher Education Act of 2008 requires disclosure of fire safety standards and measures for on-campus student housing facilities. This report herein includes fire statistics for the three most current years, fire safety systems installed in each housing building, number of fire drills supervised each year, policies on ignition sources (smoking, open flame, portable electrical appliances, etc.), procedures for fire evacuation and policies on fire safety education and training for the UW Bothell campus. This report was developed and published by UW Bothell Emergency
Preparedness/Fire Life Safety Manager. For questions regarding the Fire Safety portion of this report, please call Darren Branum at 425.352.3763.

**Fire Definitions**
The Higher Education Act of 2008 defines a fire as "any instance of open flame or other burning in a place not intended to contain burning or in an uncontrolled manner." The Department of Education (ED) 2011 "Handbook for Campus Safety and Security Reporting" has clarified fires to not include incidents where "there is no open flame or other burning." This report reflects the Handbook criteria.

**Fire Statistics 2015, 2016, 2017**
EH&S Fire Safety investigates reported fires. The three most current calendar years of fire statistics are listed on the following pages. A fire log for the current calendar year may be viewed online here: [http://www.uwb.edu/getattachment/safety/uw-bothell-fire-log-2016.pdf](http://www.uwb.edu/getattachment/safety/uw-bothell-fire-log-2016.pdf)

<table>
<thead>
<tr>
<th>Building Name</th>
<th>Total Fires</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>Date/Time</th>
<th>Location</th>
<th>Cause</th>
<th>Number of Injuries</th>
<th>Number of Deaths</th>
<th>Value of Property</th>
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<td>Unit #108</td>
<td>Food in microwave</td>
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109 UW Bothell/Cascadia College
Fire Safety Systems in Student Housing Facilities and Fire Drills

A fire drill is an exercise performed by trained staff to prepare and evaluate the occupants on their efficiency and effectiveness to carry out emergency evacuation procedures. During a fire drill, occupants are to practice safely evacuating the building, calling for help, gathering at the assigned Evacuation Assembly Point and assisting others if needed. The chart below indicates the fire safety systems and fire drills conducted.

<table>
<thead>
<tr>
<th></th>
<th></th>
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<th></th>
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<tbody>
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<td>Yes</td>
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<td>Yes</td>
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<td>Oak</td>
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<td>*</td>
<td>Yes</td>
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<tr>
<td>Pine</td>
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<td>*</td>
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<tr>
<td>Spruce</td>
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<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Willow</td>
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<tr>
<td>Campus View</td>
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<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>3</td>
</tr>
</tbody>
</table>

- * Husky Village has a fire alarm system, the system is not monitored. Signs are posted to call 911 when the alarm sounds.
- Buildings with 3 drills are due to the building not being occupied all year long.

Policies and Rules in Housing Facilities

Many appliances are prohibited in the housing facilities due to fire safety concerns and confined space. Prohibited appliances include, but are not limited to:

- Halogen lamps
- Space heaters (*Space heaters are allowed only when issued by Residential Services as a temporary heat source).
- All open-flame or open-coil appliances (e.g., fondue pots, toasters, toaster ovens)
- Air conditioners (Exception: portable, free standing air conditioners may be used after approval from Residential Life)
- Full-size appliances (except where provided by the university), or the use of multiple appliances that exceed the usage limits of the room.
Open-flame devices, such as candles, incense, lanterns or barbeques are not allowed in the residence halls. If students wish to have ceremonial flames such as menorahs, similar devices or birthday candles, alternative arrangements can be made with their Resident Director. Outdoor grills are allowed for organized events within the residence hall community at the community center.

Smoking is not allowed in University of Washington Bothell buildings, however, designated smoking areas can be found on campus.

**Evacuation Procedures**

When an emergency evacuation is ordered or when audio or visual alarms are activated, all residents and staff are required to evacuate the premises immediately via the nearest stairwell or grade level exit, close doors and activate the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911 for additional help. All residents and staff are to report to a pre-determined evacuation assembly point and await further direction from a staff member or emergency official.

Evacuation maps are posted in every housing unit. They illustrate evacuation routes and fire safety equipment locations.

For more information on evacuation procedures and related topics, see UW Bothell Campus Safety Web site for general information and specific information:

http://www.uwb.edu/safety/are-you-ready

**Fire Education and Training Programs**

The UW Bothell Emergency Preparedness / Fire Life Safety Manager conducts an annual fire academy training class for Resident Directors and Resident Advisors who, in turn, provide training to residents in September and October of each year. The curriculum covers emergency procedures, review of building fire safety systems, evacuation planning and drill and hands-on fire extinguisher training. Fire safety education is provided to all residence hall students during their periodic floor meetings. Additional information can be found on the Emergency Preparedness website. http://www.uwb.edu/safety/are-you-ready Evacuation maps, posted in every unit, illustrate evacuation routes and fire safety equipment locations. All resident students are required to participate in fire drill exercises where they are to practice evacuating the building, calling for help, gathering at the assigned Evacuation Assembly Point and assisting others if needed.

Employees are oriented on fire safety policies and procedures as part of new hire orientation and participate in evacuation drills.

**Reporting a Fire**

All active fire and explosion emergencies must be reported immediately regardless of size and nature by phoning 911 and/or activating the fire alarm system. The level of response will vary based upon the information provided.
To comply with regulation and UW Policy, all incidents, including minor fires that self-extinguish and those that do not require emergency assistance or evacuation, must be reported to Campus Safety within 24 hours. The UW Bothell Emergency Preparedness / Fire Life Safety Manager investigate reported fires to determine their cause, provide consultation, and to document the incident for reporting purposes. Fires are reported to Darren Branum, EH&S Fire and Life Safety Specialist, at (425) 452-3763, or email dlbranum@uw.edu to report a fire or explosion. Fires are also reported to UW Bothell Campus Safety at 425.352.5359 if suspicious in nature and potentially a criminal act. All fire incidents in residence halls shall be reported to the Resident Adviser and/or Resident Director who then notify Campus Safety.

**Plans for Future Fire Safety Improvements**
The University of Washington continuously evaluates the fire protection systems in UW Bothell facilities. Currently the University is in the process of determining which of our existing buildings require retrofit carbon monoxide alarms and systems. Carbon monoxide (CO) alarms will be provided in existing building where required.

**LOCAL RESOURCES**
- Bothell Police Department, 911: 425.486.1254 for non-emergencies
- UW CareLink: 866.598.3978 (UW employees)
- Washington State Domestic Violence Hotline, 1.800.562.6025 V/TTY
- UWPD Victim Advocate: 206.543.9337
- SafeCampus Violence Prevention & Response Program, Seattle: 206.685.7233; Bothell: 425.352.7233; Tacoma 253.692.7233
- Human Resources, UW Bothell: 425.352.3637
- Human Resources, CC: 425.352.8262
- UW Bothell Student Counseling: 425.352.3183, CC Counseling @ Kodiak Corner: 425.352.8860
- Cascadia Care Team, Gordon Dutrisac, chair: 425.352.8288
- Health & Wellness: 206.685.4357, livewell@uw.edu (UW students)
- Q Center, 206.897.1430: qcenter@uw.edu

**ADDITIONAL COMMUNITY RESOURCES**
- Al-Anon (24 hours): 206.625.0000
- Alcohol and Drug 24-hour Help Line: 206.722.3700 (WA only) 1.800.562.1240
- Alcoholics Anonymous (24 hours): 206.587.2838
- Crisis Clinic 24-hour crisis line: 1.866.427.4747, 206.461.3219 TTY/TDD
- Domestic Violence Hotline (24 hours): 1.800.562.6025
- Harborview Center for Sexual Assault and Traumatic Stress: 206.744.1600
- Harborview Medical Center Emergency Trauma 24-hour: 206.744.3074
- King County Jail Inmate Lookup: [http://ingress.kingcounty.gov/inmatelookup/](http://ingress.kingcounty.gov/inmatelookup/)
- King County Protection Orders: [http://www.kingcounty.gov/courts/Clerk/ProtectionOrders.aspx](http://www.kingcounty.gov/courts/Clerk/ProtectionOrders.aspx)
- King County Sexual Assault Resource Center (24 hours): 1.888.998.6423
- Poison Center: 1.800.222.1222
- Seattle Police Department, Non-Emergency: 206.625.5011
- Washington State Domestic Violence Hotline (24 hours): 1.800.562.6025 (V/TTY)