<table>
<thead>
<tr>
<th>Table of Contents</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quick Reference Resources</td>
<td>5</td>
</tr>
<tr>
<td>Clergy Crime Statistics</td>
<td>6</td>
</tr>
<tr>
<td>Hierarchy Rule</td>
<td>6</td>
</tr>
<tr>
<td>Excluded Crimes</td>
<td>7</td>
</tr>
<tr>
<td>LWTech KIRKLAND CAMPUS CRIME STATISTICS: 2017-2019</td>
<td>8</td>
</tr>
<tr>
<td>Safety on the Lake Washington Institute of Technology Campus</td>
<td>9</td>
</tr>
<tr>
<td>Compliance with the Clergy Act</td>
<td>9</td>
</tr>
<tr>
<td>What is Clergy?</td>
<td>10</td>
</tr>
<tr>
<td>Disclosure of Crime Statistics</td>
<td>10</td>
</tr>
<tr>
<td>Availability of Annual Security Report (ASR)</td>
<td>10</td>
</tr>
<tr>
<td>Clergy Act Crime Definitions</td>
<td>11</td>
</tr>
<tr>
<td>Definitions of Geography</td>
<td>13</td>
</tr>
<tr>
<td>Campus Access Policy and Security of Campus Facilities</td>
<td>13</td>
</tr>
<tr>
<td>Maintenance of Campus Facilities</td>
<td>14</td>
</tr>
<tr>
<td>How to Report a Crime or Emergency</td>
<td>14</td>
</tr>
<tr>
<td>Security Crime Log Information</td>
<td>15</td>
</tr>
<tr>
<td>Crime Prevention Tips:</td>
<td>15</td>
</tr>
<tr>
<td>Campus Safety &amp; Security Operations</td>
<td>16</td>
</tr>
<tr>
<td>Campus Law Enforcement Authority</td>
<td>17</td>
</tr>
<tr>
<td>Working Relationship with other agencies</td>
<td>17</td>
</tr>
<tr>
<td>Campus Security Authorities (CSA’s)</td>
<td>18</td>
</tr>
<tr>
<td>Counseling</td>
<td>18</td>
</tr>
<tr>
<td>Safety Awareness and Crime Prevention</td>
<td>19</td>
</tr>
<tr>
<td>Voluntary Confidential Crime Reporting</td>
<td>19</td>
</tr>
<tr>
<td>Limited Voluntary Confidential Reporting</td>
<td>19</td>
</tr>
<tr>
<td>Timely Warnings</td>
<td>20</td>
</tr>
<tr>
<td>Emergency Response &amp; Evacuation Procedures</td>
<td>21</td>
</tr>
<tr>
<td>Evacuation assembly areas</td>
<td>22</td>
</tr>
<tr>
<td>Lockdown Procedures</td>
<td>23</td>
</tr>
<tr>
<td>Testing and Exercises</td>
<td>23</td>
</tr>
<tr>
<td>Record Keeping</td>
<td>24</td>
</tr>
<tr>
<td>Alcohol and Substance Abuse</td>
<td>24</td>
</tr>
<tr>
<td>Student – Alcohol and Other Drug Awareness</td>
<td>24</td>
</tr>
<tr>
<td>Employee Alcohol and Drug Use Policy</td>
<td>26</td>
</tr>
<tr>
<td>Prohibited Conduct on College Facilities</td>
<td>27</td>
</tr>
<tr>
<td>Employee Assistance Program</td>
<td>28</td>
</tr>
<tr>
<td>Sexual Assault Prevention &amp; Response</td>
<td>29</td>
</tr>
<tr>
<td>Title IX &amp; Sexual Misconduct</td>
<td>30</td>
</tr>
<tr>
<td>Student Conduct Code—Supplemental Title IX Procedures – Order of</td>
<td>31</td>
</tr>
<tr>
<td>Precedence</td>
<td>31</td>
</tr>
<tr>
<td>5.P.120</td>
<td>31</td>
</tr>
<tr>
<td>Student Conduct Code—Supplemental Title IX Procedures – Prohibited Conduct Under Title IX</td>
<td>31</td>
</tr>
<tr>
<td>Student Conduct Code—Supplemental Title IX Procedures – Prohibited Conduct Under Title IX</td>
<td>32</td>
</tr>
<tr>
<td>Student Conduct Code—Supplemental Title IX Procedures – Initiation of Discipline</td>
<td>33</td>
</tr>
<tr>
<td>Student Conduct Code—Supplemental Title IX Procedures – Pre-Hearing Procedure</td>
<td>33</td>
</tr>
<tr>
<td>Student Conduct Code—Supplemental Title IX Procedures – Rights of Parties 5.P.130</td>
<td>34</td>
</tr>
<tr>
<td>Student Conduct Code—Supplemental Title IX Procedures – Evidence</td>
<td>34</td>
</tr>
<tr>
<td>Student Conduct Code—Supplemental Title IX Procedures – Initial Order</td>
<td>35</td>
</tr>
</tbody>
</table>
Student Conduct Code—Supplemental Title IX Procedures — Initial Order .......................................................... 35
5.136 ......................................................................................................................................................... 35
Principles for Title IX Grievance Procedure .............................................................................................. 39
Title IX Administrators – Free from bias – Training requirements ............................................................. 40
Filing a Complaint ....................................................................................................................................... 40
Confidentiality ............................................................................................................................................... 41
Complaint Resolution ................................................................................................................................. 41
Emergency Removal .................................................................................................................................... 42
Investigation Notices ..................................................................................................................................... 43
Investigation Process Dismissal .................................................................................................................. 43
Investigation Process – Consolidation of Formal Complaints .................................................................. 44
Investigation Process – Required Procedures ............................................................................................. 44
LWTech’s Responsibilities to Address Sexual Harassment & Sexual Violence ............................................. 45
What Is the Role of a Title IX Coordinator? ............................................................................................... 45
Title IX Administrators ................................................................................................................................ 46
Role of the Advisor in Title IX Investigations ........................................................................................... 46
Complaint Reporting ...................................................................................................................................... 47
Who May File A Report ................................................................................................................................. 47
Confidentiality & Right to Privacy ................................................................................................................ 47
Rights & Responsibilities of the College to Complainants and Respondents .............................................. 47
Investigation .................................................................................................................................................. 48
Written Notice of Decision .......................................................................................................................... 48
Final Decision/Reconsideration ...................................................................................................................... 48
Reporting to the College ............................................................................................................................... 48
Responsible Employee ................................................................................................................................. 49
Interim Measures ......................................................................................................................................... 50
Expectations and Responsibilities ............................................................................................................... 50
Publication of Anti-Discrimination Policies and Procedures ......................................................................... 51
Limits to Authority ....................................................................................................................................... 51
Prohibited Retaliation, Intimidation and Coercion Policy ............................................................................. 51
Criminal Complaints ..................................................................................................................................... 51
Other Discrimination Complaint Options ..................................................................................................... 51
LWTech Law Enforcement Relationships and Jurisdiction ......................................................................... 51
LWTech Education and Prevention Related to Sexual Misconduct ........................................................... 52
Primary Prevention and Awareness Programs ............................................................................................ 52
Ongoing Prevention and Awareness Campaigns .......................................................................................... 53
Bystander Intervention .................................................................................................................................. 53
Risk Reduction .............................................................................................................................................. 54
Procedure for Reports of Sexual Assault, Domestic Violence, Dating Violence, or Stalking ...................... 54
Education and Prevention Programs ........................................................................................................... 54
Initiation of Discipline ................................................................................................................................... 55
Appeal from Disciplinary Action ................................................................................................................ 56
Procedure for Reports of Sexual Assault, Domestic Violence, Dating Violence or Stalking ...................... 56
Standard of Evidence .................................................................................................................................... 57
Lake Washington Institute of Technology Sexual Harassment Policy ......................................................... 57
Grievances and Appeals of College Actions ................................................................................................. 59
Discipline Procedures for Cases Involving Allegations of Sexual Misconduct— Supplemental Sexual Misconduct Procedures ................................................................. 59
Discipline Procedures for Cases Involving Allegations of Sexual Misconduct— Supplemental Definitions ........ 60
Discipline Procedures for Cases Involving Allegations of Sexual Misconduct— Supplemental Complaint Process .................................................................................................................. 60
Discipline Procedures for Cases Involving Allegations of Sexual Misconduct— Supplemental Appeal Rights .............................................................................................................................. 60
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prohibited Student Conduct</td>
<td>62</td>
</tr>
<tr>
<td>Disciplinary Sanctions</td>
<td>63</td>
</tr>
<tr>
<td>Sex Offender Registry &amp; Access to Related Information</td>
<td>65</td>
</tr>
<tr>
<td>Off-Campus Criminal Activity</td>
<td>66</td>
</tr>
<tr>
<td>Anti-Terrorism Policy</td>
<td>67</td>
</tr>
<tr>
<td>Hazing Policy</td>
<td>67</td>
</tr>
</tbody>
</table>
Quick Reference Resources

EMS/Police/Emergency Phone Numbers
9-111 (Campus phones) or 9-11 (Cell phones)

<table>
<thead>
<tr>
<th>College/Building Phone Numbers</th>
<th>City and County Emergency Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>LWTech President 425-739-8200</td>
<td>Kirkland Fire/EMS…… 9-111 or 911</td>
</tr>
<tr>
<td>Human Resources 425-739-8100 x8458</td>
<td>Kirkland Police ............ 9-111 or 911</td>
</tr>
<tr>
<td>Employee Assistance 877-313-4455</td>
<td>Kirkland Police Non-Emergency ..... 425-577-3400</td>
</tr>
<tr>
<td>Campus Public Safety 425-739-8224</td>
<td>King County Sheriff..... 9-111 or 911</td>
</tr>
<tr>
<td>Campus Facilities 425-739-8218</td>
<td>Washington State Patrol.... 9-111 or 911</td>
</tr>
<tr>
<td>Custodial Cell Phone 425-736-9972</td>
<td>WA Child Protective Services</td>
</tr>
<tr>
<td></td>
<td>1-866-363-4276</td>
</tr>
<tr>
<td></td>
<td>1-800-562-5624</td>
</tr>
<tr>
<td></td>
<td>WA Poison Info Center...1-800-222-1222</td>
</tr>
</tbody>
</table>

HOSPITALS

<table>
<thead>
<tr>
<th>HOSPITALS</th>
<th>UTILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evergreen General (emergency) .... 425-899-1700</td>
<td>Northshore Utility District (after-hours) ..... 425-398-4400</td>
</tr>
<tr>
<td>Group Health, Redmond…………… 425-882-6100</td>
<td>Puget Sound Energy Gas/Elec. 24 hr....888-225-5773</td>
</tr>
</tbody>
</table>

WATER DISTRICT TELEPHONE NUMBERS

<table>
<thead>
<tr>
<th>WATER DISTRICT TELEPHONE NUMBERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northshore Utility District (maintenance &amp; operations) .......................................................... 425-398-4400</td>
</tr>
<tr>
<td>Kirkland Public Works..........................................................425-587-3800</td>
</tr>
<tr>
<td>Redmond Public Works (Emergencies 8am-4:30pm) .......................................................... 425-556-2800</td>
</tr>
<tr>
<td>(Emergencies 4:30pm-8:00am) ..........................................................425-556-2800</td>
</tr>
</tbody>
</table>

Kirkland Campus Address: 11605 132nd Ave NE, Kirkland, WA 98034
Phone Number: 425-739-8100
Clery Crime Statistics
All colleges and universities must disclose crime statistics for their campuses, student residential facilities (if applicable), public areas immediately adjacent to or accessible from the campus, and certain non-campus facilities including Greek housing (if applicable), and remote classrooms. The statistics must be obtained from Campus Public Safety or Police, Campus Public Safety Authorities (CSA’s, those campus officials who have significant responsibility for students and campus activities), and local law enforcement. Professional mental health and religious counselors are exempt from crime statistic reporting but may refer clients to the campus confidential reporting system; the institution must indicate if a confidential reporting system exists or not.
Clery Crime categories include:

- Murder/non-negligent manslaughter
- Negligent manslaughter
- Sex offenses
  - Forcible sex offenses
  - Non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Liquor law violations* (arrest or campus judicial referral)
- Drug law violations* (arrest or campus judicial referral)
- Illegal weapons violations* (arrest or campus judicial referral)

*If both an arrest and referral are made for liquor, drug, or weapons law violations, only the arrest is counted.

Crime statistics are categorized geographically as: “On-campus,” “Student residential facilities, on-campus,” “Non-campus buildings,” and/or “Public property;” these areas are identified on campus maps. The Annual Security Report (ASR) must indicate if any of the above reported crimes or incidents involved bodily injury and are thus reported as “hate crimes.” Additionally, the crimes of larceny, vandalism, intimidation, and simple assault must be listed as hate (bias) crimes if the facts of the case indicate the offender was motivated to commit the offense because of his/her bias against the victim’s race, gender, religion, sexual orientation, ethnicity/national origin, and/or disability.

Hierarchy Rule
When incidents are examined to determine if they should be included in the annual report, a portion of the Clery Act called the Hierarchy Rule comes into effect. Occasionally, a person who is arrested may have committed more than a single offense. The Hierarchy Rule requires in this situation that we count the offense which is of the most serious nature and to count an offense of lesser significance. For example, if a person committed a burglary and a murder in the course of a single act then only the murder would be counted for the purposes of this report. An exception to this rule exists for hate crimes. If a person commits any reportable offense and while doing this, also commits a hate crime, then both incidents will be reported.
Excluded Crimes
In some cases, an incident that is reported as a crime may not be included in the annual report. Each of the following five standards must be met for an incident to be included in the annual report:

- **Reported to the Proper Authorities** – Incidents must be reported to law enforcement or a person who, according to the Clery Act, is defined as a Campus Security Authority (CSA). A person designated as a CSA does not only mean a person employed by the Campus Public Safety department. The term is applied to any person who works for the college in a paid or volunteer status and has significant responsibility for student activities. If you are someone whom a student reasonably believes that he or she can report a crime to and expect that the matter will be addressed directly through that individual’s intervention or that the individual will contact law enforcement for a response, then the individual is deemed a Campus Security Authority.

- **Listed Crimes** – The crime must be one of those listed in the Clery Act as a reportable crime.

- **Reportable Area** – The crime must have occurred in one of the reportable areas. Every reportable crime occurring within the boundaries of campus is in the reportable area. Perimeter streets are described in the following way: “sidewalk –Street-Sidewalk.” This means that a reportable crime occurring on the sidewalk on either side of a perimeter street is reportable, as are incidents occurring in the street. But, an incident occurring in a building (a privately-owned store) on the distant side of a perimeter street would not be included. Unfortunately, most law enforcement agencies do not distinguish where a crime occurs with this degree of detail. Crimes are usually located by street and house numbers. With regard to Non-Campus Buildings, crimes occurring in those buildings or on the property of that location are reportable. Incidents occurring on the sidewalk or on streets in front of that building would not be included.

- **Made in Good Faith** – For an incident to be included there must be a determination that the report is made in good faith. Supporting evidence makes this determination easy, but such evidence is not always available. In such a case, the credibility of the person making the report is considered. When the incident is reported to LWTech through a law enforcement agency, the college assumes that this determination has already been made.

- **Unfounded** – If law enforcement determines that a particular reported incident could not have occurred or did not occur (i.e. false report), the crime is not included in the annual report. Only law enforcement can rule a case “unfounded.”
| CLERY OFFENSE                  | On-Campus | | | Non-Campus | | | | Public Property | | |
|-------------------------------|-----------|---|---|-----------|---|---|---|-----------|---|
| Murder/non-negligent manslaughter | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Negligent manslaughter        | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Rape                          | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Fondling                      | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Incest                        | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Statutory Rape                | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Robbery                       | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Aggravated Assault            | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Burglary                      | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Motor Vehicle Theft           | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Arson                         | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| ARRESTS                       |           |      |      |           |      |      |      |      |      |
| Liquor Law Violations         | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Drug Violations               | 1         | 1    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Weapons Violations            | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| HATE CRIMES                   |           |      |      |           |      |      |      |      |      |
| Race                          | 2         | 1    | 1    | 0         | 0    | 0    | 0    | 0    | 0    |
| Gender/Gender Identity        | 0         | 0    | 1    | 0         | 0    | 0    | 0    | 0    | 0    |
| Religion                      | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Sexual Orientation            | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Ethnicity/National Origin     | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Disability                    | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| VAWA OFFENSES                 |           |      |      |           |      |      |      |      |      |
| Domestic Violence             | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Dating Violence               | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Stalking                      | 0         | 0    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| CAMPUS DISCIPLINARY REFERRALS |           |      |      |           |      |      |      |      |      |
| Liquor Law Violations         | 0         | 2    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
| Drug Violations               | 1         | 6    | 3    | 0         | 0    | 0    | 0    | 0    | 0    |
| Weapon Violations             | 0         | 0    | 2    | 0         | 0    | 0    | 0    | 0    | 0    |
| Unfounded Cases               | 0         | 1    | 0    | 0         | 0    | 0    | 0    | 0    | 0    |
Safety on the Lake Washington Institute of Technology Campus

Welcome to Lake Washington Institute of Technology! The following information is designed to give you basic facts about Security concerns at Lake Washington Institute of Technology (LWTech) and the surrounding Kirkland community. It is our wish that your time on the LWTech Campus is safe and productive.

Historically, LWTech has been a relatively safe haven from the busy outside world; however, King County is one of the fastest growing areas in the State and it is prudent to be aware that we are no longer isolated from the pressure of an encroaching population. Please understand crime prevention is everyone’s responsibility; with that in mind, LWTech takes many common-sense precautions to help ensure the safety of the campus community, and expects its faculty, staff, students, and guests, to do their part to help maintain a safe environment.

Crime does not stop at the campus property line. The key to preventing crime is awareness. While LWTech Campus Public Safety is the primary agency responsible for creating a safe and secure environment, all LWTech employees and students must work together to share this responsibility; LWTech Campus Public Safety is committed to community policing and collaborative problem solving. Many incidents can be avoided if people take basic precautions to prevent their own victimization. If you have any questions about Campus Public Safety at Lake Washington Institute of Technology, please visit our Department at: LWTech Campus Public Safety. The LWTech Office of Campus Public Safety is located on the first floor of the East Building, Room E-145.

Compliance with the Clery Act

Lake Washington institute of Technology Policy Statement on Availability of the 2019 Annual Security Report:

The Lake Washington Institute of Technology (LWTech) 2019 edition of the Annual Security Report (ASR) is available at the Office of Campus Public Safety or on-line at the Campus Public Safety Department website. The ASR includes statistics for the three previous years on certain reported crimes that occurred: On-Campus; Off-Campus buildings/property owned or controlled by LWTech; and on Public property within/immediately adjacent to, and accessible from, the Kirkland Campus. The ASR also includes LWTech policies on: Campus Public Safety; Reporting a crime (including confidential reporting); Sexual assault and sex-offender registration; Timely warnings; Alcohol/substance abuse; Security awareness/crime prevention programs, and other matters.

LWTech’s Campus Public Safety Department prepares this report to comply with the Jeanne Clery disclosure of campus Security Policy and Crime Statistics Act. The report is prepared in partnership with local law enforcement agencies.

Each year an e-mail notification is made to all enrolled students and employees that provides the website to access this report. In addition, copies of the ASR is available at the Campus Public Safety Office, East Building, Room E-145, 11605 132nd Avenue NE, Kirkland, WA 98034, or by accessing the following website: http://www.lwtech.edu/security.
What is Clery?
As part of the federal Higher Education Act of 1965 (and codified at 20 USC 1092 (f)), the Jeanne Clery Disclosure of Campus Public Safety Policy and Campus Crime Statistics Act (now known as the Clery Act), requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. Originally enacted by Congress and signed into law by President George Bush in 1990 as the Crime Awareness and Campus Public Security Act of 1990, the Clery Act was the result of the efforts of Howard and Connie Clery to honor the death of their daughter, Jeannie, who was murdered at Lehigh University in 1986. In 1987, Howard and Connie Clery founded the non-profit Security on Campus, Inc., to promote legislation regarding on-going campus public safety issues. In 1997, Amendments to the Act were renamed in memory of Jeanne Clery.

Disclosure of Crime Statistics
The Lake Washington Institute of Technology (LWTech) Office of Campus Public Safety prepares an Annual Security Report (ASR) to comply with the Jeanne Clery Disclosure of Campus Public Safety Policy and Crime Statistics Act and must be filed with the U.S. Department of Education in October of each year (October 1 this year). However, this year, the deadline was extended to Dec 31, 2020, due to Covid-19. The full text of the ASR can be located on our web site at Campus Public Safety. This report is prepared in cooperation with the local law enforcement agencies surrounding the main LWTech Kirkland Campus, the LWTech Offices of Administrative Services, Student Services, Judicial Affairs, and Campus Public Safety. Each entity provides updated information on their educational efforts and programs to comply with the Act; this information is compiled and listed in the ASR.

Required campus crimes, arrest and referral statistics include those reported to LWTech Campus Public Safety, designated Campus Security Authorities (CSA) including, but not limited to directors, deans, department heads, designated HR staff, judicial affairs, advisors to students/student organizations, and local law enforcement agencies. These statistics may also include crimes that have occurred in private residences or businesses. LWTech Counseling Services inform their clients of the procedures to report crime to Campus Public Safety on a voluntary or confidential basis, should they feel it is in the best interest of their client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a counseling session.

Availability of Annual Security Report (ASR)
All institutions of higher education must publish an Annual Security Report (ASR) by October 1 of each year containing the last three calendar years’ required campus crime statistics and certain security policy statements including the law enforcement authority of LWTech Campus Public Safety, where students should go to report a crime, and sexual assault policies that assure basic victims’ rights. A notice of the report’s availability will be sent to all current students and college/university employees; prospective students and employees will receive notice of the report’s availability and their right to request a hard copy of the report. The location and availability of the report will also be posted on the College web site at Campus Public Safety. Required crime statistics are filed with the U.S. Department of Education in October of each calendar year (December 31, this year) and each year a notice is sent to current (enrolled) students and current (employed) faculty and staff informing them of the web address where they can access the ASR. Copies of the ASR may be obtained at the Lake Washington Institute of Technology Office of Campus Public Safety located in the East Building, Room E-145; in the Office of the Registrar/Enrollment Services, West Building, Room W-201D; and, in the Human Resources Office, West Building, Room W-304-B. Prospective students and employees may obtain a copy of the ASR from the Registrar/Enrollment Services Office (425-739-8156) and/or the HR Office (425-739-8251). The web site address for the ASR will also be listed in LWTech Enrollment and Employment application packets and the College Class Schedule.
Clery Act Crime Definitions

- **Murder/non-negligent manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Negligent Manslaughter:** The killing of another person through gross negligence.
- **Sex Offenses:**
  - **Forcible Sex Offense:** Any sexual act directed against another person, forcible and/or against that person’s will; or not forcibly or against that person’s will where the victim is incapable of giving consent (Forcible rape, forcible sodomy, forcible assault with an object, fondling).
  - **Non-Forcible Sex Offense:** Unlawful, non-forcible sexual intercourse (Incest and statutory rape).
- **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.
- **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 a felony; breaking or 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 (SUV’s, automobiles, trucks, buses, motorcycles, motor scooters, golf carts, motorized wheelchairs, ATV’s, and snowmobiles.
- **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, furnishing, transportation, possession, or use of alcoholic beverages or intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the above.
- **Drug Law Violations:** The violation of laws prohibiting the production, distribution, and/or use of controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance... Relevant substances include: Opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics – manufactured narcotics which can cause true addiction (Demerol, Methadone): and dangerous non-narcotic drugs (Barbiturates, Benzedrine).
- **Illegal Weapons Possession:** 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. Include possession of deadly weapons; carrying deadly weapons, concealed or open; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.
- **Hate Crimes:** Crimes that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias. Hate crimes, by category of bias include: Race, gender, religion, sexual orientation, ethnicity/national origin, and disability. Any of the non-required crimes, where it was determined by Law enforcement that the motive was bias:
a. Larceny/Theft

1) Pocket Picking – theft of articles from another person’s physical possessions by stealth where the victim usually does not become immediately aware of theft. (If use of force or threat of force is present, this will be counted as a strong-arm robbery.)

2) Purse Snatching – grabbing or snatching of a purse, handbag, etc., from the physical possession of another person.

3) Shoplifting – theft from within a building which is either open to the general public or where the offender has legal access.

4) Theft from Building – theft from within a building which is either open to the general public or where the offender has legal access.

5) Theft from Coin Operated Machine or Device – theft from a machine or device which is operated or activated by the use of coins.

6) Theft from a Motor Vehicle – theft of articles from a motor vehicle, whether locked or unlocked. Note: Do not count theft of motor vehicle parts or accessories.

7) All Other Larceny – all thefts which do not fit any of the definitions of the specific subcategories of Larceny/Theft listed above.

b. Simple Assault – an unlawful physical attack by one person upon another where neither the offender displays a weapon, but 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.

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

d. Destruction/Damage/Vandalism of Property (Except Arson) – 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.

Domestic Violence: A felony or misdemeanor crime of violence committed a) A current or former spouse or intimate partner of the victim. b) A person with whom the victim shares a child in common. c) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner. d) 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. e) 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.

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

Definitions of Geography
As specified in the Clery Act, the following property descriptions are used to identify the location of crimes on
and around The LWTech campus.

On-Campus Buildings or Property
1. Any building or property owned or controlled by an institution within the same reasonably contiguous
geographic area and used by the institution in direct support of or in a manner related to the institution’s
educational purposes, including residence halls; and
2. Any building or property that is within or reasonably contiguous to the area identified in the above paragraph,
that is owned by the institution, but controlled by another person, is frequently used by students and supports
institutional purposes (such as a food or retail vendor).

Non-Campus Buildings or Property
1. Any building or property owned or controlled by a student organization that is officially recognized by the
institution; or
2. Any building or property owned or controlled by an institution that is used in direct support of or in relation to
the institution’s educational purposes, is frequently used by students, and is not within the same reasonably
contiguous geographic area of the institution. LWTech does not have other buildings that are owned by any
student organization

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

Campus Access Policy and Security of Campus Facilities
The LWTech campus does not have on campus student housing.

During normal business hours Lake Washington Institute of Technology will be open to faculty, staff, students,
parents, contractors, guests, and invitees. During non-business hours LWTech facilities are locked; access is
restricted to authorized students and employees through Campus Public Safety or other on-duty College staff.
During an extended closure, only authorized personnel will be granted access to Campus property and facilities.
Campus Public Safety officers carry keys to all LWTech Buildings and are available during business hours to
access buildings and rooms for authorized entry. Remember: Service calls such as this are prioritized; criminal or
medical emergency calls have a higher priority than do building and/or room access calls.
Campus facilities may have different hours of accessibility; in such cases, these areas will be secured and accessed by appropriate persons in accordance with operating schedules as developed by the Department responsible for that facility. Emergencies may necessitate changes and/or alterations from normal business hour access times; security assessments of campus facilities will be conducted, as needed. Administrators from Facilities, and Campus Public Safety will periodically review results of landscaping, lock, alarm, lighting, and communication assessments to determine appropriateness of access schedules and alter schedules, as needed.

**Maintenance of Campus Facilities**

LWTech is committed to Campus safety, be it physical plant (buildings) or other College property (grounds, equipment, furniture, etc.). LWTech Custodial Services, Maintenance, and Campus Public Safety personnel conduct routine Campus safety surveys; deficiencies are corrected by LWTech Facilities staff. All community members are encouraged to report safety hazards, such as slip/trips/falls, broken locks on doors/windows to Facilities and Campus Public Safety. Work orders are initiated, and repairs are made in a timely manner. In addition, Campus Public Safety partners with local law enforcement to perform Crime Prevention Through Environmental Design (CPTED) identify overgrown shrubs and other obstacles that could be a safety concern.

**How to Report a Crime or Emergency**

Faculty, staff, students, and guests are encouraged to report all crimes and public safety-related incidents on the LWTech campuses immediately. To report a crime or other emergency on the Kirkland Campus of Lake Washington Institute of Technology, call 911 (on campus 9-911), then, the Lake Washington Institute of Technology Campus Public Safety at: 425-739-8224.

Local Law Enforcement may be reached by calling the following numbers:

Kirkland Police: 911 (on campus 9-911) or 425-587-3400 (non-emergency)

King County Sheriff’s Office: 911 (on campus 9-911) or 206-296-4155

LWTech Incident Reports are forwarded to the Vice President of Student Services for review regarding possible student conduct code violations. LWTech Campus Public Safety will investigate Incident Reports when appropriate; additional information obtained in such investigations will also be forwarded to the VP of Student Services.

If assistance is required of local Police agencies, Campus Public Safety will make that contact. If a sexual assault or rape should occur, staff on scene, including Campus Public Safety and local Police, will offer a wide variety of services to assist the victim including privacy, medical response, mental health counseling, and contact of significant others, should the victim so require. Crimes should be reported to Campus Public Safety to ensure the victim of appropriate services, to ensure inclusion in the annual crime statistics report, and to aid in providing timely warning notices to the community, when appropriate.

All crimes should be reported immediately. Please report any suspicious activity or person you see loitering in any campus building, common area, or parking lot. In addition, reports may be made to any LWTech Official at 425-739-8100.

A secondary means of reporting crimes is to contact an identified campus security authority (CSA). CSAs include but are not limited to:
FOR CRIMINAL ACTIVITY OR MEDICAL EMERGENCIES CALL 911 FIRST (on campus 9-911), THEN CALL Campus Public Safety!

Security Crime Log Information
The Daily Crime Log is a public record of all crimes reported to Campus Public Safety. Institutions that maintain a Campus Police or Campus Public Safety Department are required to disclose, in the Daily Log, any crime that occurred on campus... or within the patrol jurisdiction of the campus police or security department and is reported to the campus police or campus public safety department. The Daily Crime Log lists the date and type of crime, and the location and disposition of the crime, when known. Unlike the Timely Warning, restricted to listed Clery Crimes, the Daily Log includes all crimes reported to Security; State definitions may be used to define these crimes. Reports must be logged into the Daily Crime Log within two business days; however, certain listed information may be withheld to protect victim confidentiality, ensure the integrity of ongoing investigations, or to keep a suspect from fleeing. Only the most limited information necessary may be withheld; even then it must be released, “once the adverse effect... is no longer likely to occur.”

The Daily Crime Log must be available during normal business hours to employees and students as well as the general public (parents, local press, etc.). The Daily Crime Log will remain open for 60 days; subsequent to that, the Log must be available within two business days of a request for Log information.

Crime Prevention Tips:
- **If you see something suspicious, or observe a criminal or medical emergency, CALL 911 (on campus 9-911), then LWTech Campus Public Safety at extension 8224 or dial 425-739-8224.** Post these numbers where you can readily find them to use in the event of an emergency.

- **ALWAYS** lock offices and/or classrooms when leaving the room, even for a few minutes. Never leave personal property in plain view. How long does it take for a thief remove your property? Seconds. In just a short few seconds your day is ruined, you have become a victim. Take your wallet or purse with you when leaving the room or secure them in a cabinet or desk. Identity theft is America’s fastest growing crime. It takes only a moment for a thief to ruin your credit by stealing a wallet or purse containing your driver’s license, debit/credit card(s), checkbook, Passport, Social Security Card, etc.; it takes considerably more time to return your life to financial viability.
If you should suffer such a loss, call the appropriate government departments (Licensing, Social Security, etc.) and financial institutions, THEN: Call Kirkland Police at 911 (on campus 9-911) and Campus Public Safety at #8224. With thousands of dollars of equipment in most offices and classrooms, it is imperative to lock these rooms when leaving, even for a brief moment. Record personal property information (make, model, serial number) with Campus Public Safety. Report all thefts of personal and or College property, including home, auto, office, or classroom keys, to Kirkland Police at 911 (on campus, 9-911) and LWTech Campus Public Safety (#8224) immediately.

- **DON'T** leave your vehicle unlocked. Store valuables left in your vehicle in the glove box or trunk; keep your valuables out of sight. Valuables left in plain view are an open invitation for a thief to break out your window and relieve you of your property. Thefts such as these are crimes of opportunity; be smarter than the thieves, keep things out of sight and deny them the opportunity to steal from you and make you their victim. Report suspicious persons lurking about and/or thefts to Kirkland Police at 911 (on campus 9-911) and Campus Public Safety (#8224) immediately.

- **WHEN** walking at night, try to stay on well-lit walkways, and always, always walk with others. Remember, there's safety in numbers. Call Campus Public Safety at 425-739-8224 for a Personal Safety Escort if you have no one else to walk with. Report suspicious persons to Kirkland Police at 911 (on campus 9-911) and Campus Public Safety (#8224) promptly.

- **OBSERVE** all Washington State traffic laws when on campus. Come to a complete stop at all Stop signs. No speeding or otherwise driving too fast for conditions. Observe all right – of – way rules at intersections, and always use your turn signals. Be cognizant of pedestrians at all times and REMEMBER: Pedestrians have the right of way! PLEASE DRIVE SAFELY!

**Campus Safety & Security Operations**

The LWTech Office of Campus Public Safety is the campus law enforcement division of the College and reports directly to the Vice President of Administrative Services. Campus Public Safety works closely and directly with all Departments of the College to ensure uniform application and clear understanding of LWTech campus public safety policies and procedures to all faculty, staff, and students. Currently our staff consists of a Campus Public Safety Director (un-armed), and three Campus Public Safety Officers (un-armed). Our Campus Public Safety department is available from 6:00 am to 10:30 pm Monday through Friday, 12:00 pm to 8:30 pm on Saturday, and closed on Sundays.

Under the direction of the Campus Public Safety Director, full time College staff uphold applicable local, state, and federal laws and Lake Washington Institute of Technology policies and procedures. LWTech Campus Public Safety services include Haz-Mat management, criminal response and investigations, medical emergency response, fire emergency response, personal safety escorts, motor vehicle accident investigations, and traffic control, parking enforcement, and College policies including alcohol and drug use and abuse and weapons violations.

For criminal and/or medical emergencies, call 911 (on-campus phones call 9-911). For important campus incidents and other emergency situations dial extension 8224 or dial 425-739-8224.

It is our express goal to make Lake Washington Institute of Technology a safe place in which to work and learn. Welcome!
**Campus Law Enforcement Authority**

Limited campus law enforcement authority is granted to LWTech Campus Public Safety by the Board of Trustees of the Lake Washington Institute of Technology and the Washington Administrative Codes. As such, Campus Public Safety Officers have the authority to ask persons for identification and to determine whether individuals have lawful business at Lake Washington Institute of Technology.

Under WAC 495D-116-170, Campus Public Safety Officers have the authority to issue Campus traffic and parking citations which are billed to financial accounts of students, faculty, and staff, or to the private residences of those persons not affiliated with the school. Campus Public Safety Officers do not have arrest powers; all criminal incidents are referred to local Police (Kirkland Police Department, Redmond Police Department, and the King County Sheriff’s Department) who have jurisdiction on or adjacent to the Kirkland campus, respectively. The College has a written Memorandum of Understanding (MOU’s) with the Kirkland Police Department. The purpose of the MOU is to meet the statutory requirements for institutions of higher education established by the Washington State legislature. It is further the purpose of the MOU is to promote collaboration between the college and KPD to enhance the reporting, investigation, and appropriate response to sexual assault and other covered crimes. Crime victims and witnesses are strongly encouraged to immediately report criminal activity to the appropriate Police Departments and LWTech Campus Public Safety. Prompt reporting will assure timely warning notices of Campus crime and assist in full disclosure of crime statistics.

Law enforcement arrests and incidents involving LWTech students and employees are forwarded to the Vice President of Student Services so the best interests of the community can be served. Ongoing training is afforded to Campus Public Safety. LWTech Campus Public Safety considers personal and property safety a priority; incident reports and safety concerns are reviewed and acted on accordingly. Criminal incident reports generated by Campus Public Safety will be referred to Kirkland Police Department for criminal law considerations. Serial numbers of stolen property are recorded by Campus Public Safety and passed through local law enforcement to the National Crime Information Center (NCIC).

Students and employees are required to comply with directives of Campus Public Safety and Police Officers and any other College Officials; students are required to present valid ID when requested. Campus Public Safety enforces College policy, rules, and regulations as well as local, state, and federal laws, and reports criminal violations to local authorities. To report criminal or medical emergencies, call 911 (on campus 9-911); for other important campus incidents, call LWTech Campus Public Safety at 425-739-8224. Try to remain calm when calling in an emergency; when asked, calmly state your name, the nature of your emergency (criminal or medical), and the location of the emergency when prompted by 911 Operators.

**Working Relationship with other agencies**

LWTech maintains relationships with local, county, and state law enforcement agencies. These agencies include police, fire and emergency management offices. Whenever possible, the LWTech campus will partner with local law enforcement for trainings. Campus Public Safety also attends seminars when available to develop and maintain relationships and cooperation with FBI and Homeland Security. When the opportunities present themselves, LWTech hosts training areas for local police and fire agencies on campus, or in buildings. For example, the Regional SWAT and Tactical team on occasion train inside clearing buildings, and the Fire Department occasionally use the parking lots to practice their driving skills and tour the buildings to remain familiar with the geography of the campus. The local police have included a tour of the LWTech campus in their training plan for new officers fresh out of the academy.
Campus Security Authorities (CSA’s)
Campus Public Safety authority is a term that encompasses four groups of individuals and organizations associated with an institution:

- A campus Police Department or Campus Public Safety Department of an institution.
- Any individual or individuals who have responsibility for Campus Public Safety but who do not constitute a campus police department or a Campus Public Safety department.
- Any individual or organization specified in an institution’s statement of Campus Public Safety policy as an individual or organization to which students and employees should report criminal offenses.
- 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.

At LWTech the following employees fall into the category of Campus Security Authority because they have significant responsibility for student and campus activities:

- President of Lake Washington Institute of Technology
- Vice President of Administrative Services
- Vice President of Student Services
- Vice President of Instructional Services
- Director, Campus Public Safety
- Director of Nursing
- Director of Early Learning Center
- Principal/Dean, High School Programs
- Director of Facilities
- Director, Physical Therapist Assistant Program
- Director of TRIO
- Dean of Students
- Dean of Gen. Ed.
- Dean of Technology
- Dean of Applied Design
- Director of Workforce Development
- Director Student Programs
- Director of International
- Title IX Coordinator

Counseling
Personal counseling is a chance to talk confidentially with an objective person who can help you learn new skills and look at situations in different ways. This can help you become more capable of solving new problems on your own in the future. Some students benefit from one or two sessions of problem-solving, while others may require more. Although counselors may differ in their approach to counseling, they all have one goal in common: to help you resolve your concerns. If you are experiencing a health-related emergency, please call 9-1-1, Campus Public Safety at (425) 739-8224, or the 24-hour crisis line at (866) 427-4747.

Personal and Pastoral Counselors

There is an exemption of Clery CSA mandated reporting for two types of positions, college professional personal counselors and pastoral counselors. LWTech does not have any pastoral counselors, but does have a part-time counselor, whose professional responsibilities include personal counseling. Thus, when the counselor is acting with the scope of her employment, she is not considered a CSA and is not required to report crimes for inclusion in the annual disclosure of crime statistics. However, our campus counselor is encouraged, if and when she deems it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crim statistics.
Safety Awareness and Crime Prevention
During orientation for each quarter, LWTech Campus Public Safety offers video and oral presentations on personal safety/personal property protection, Run/Hide/Fight, and general safety. Through informational Campus Public Safety seminars faculty, staff, and students are given information on personal safety and theft prevention, Floor Supervisor and fire drill/evacuation training, the state of Campus Public Safety, the Annual Security Report, and the safety of the surrounding community. Campus Public Safety disseminates important and emergency information to the Campus through flyers, posters, pamphlets, Campus e-mail, Campus Public Address, Alertus Mass Notification system, and the Campus News videoconference sites located throughout Campus. Faculty, staff, and students are encouraged to be aware of their responsibility for their own security and the security of others, in conjunction with Campus Public Safety. As part of the Security Department’s personal safety program, faculty and students are urged to walk to their cars at night in groups or request a Campus Public Safety Department Personal Safety Escort at any time of the day or night, anywhere on Campus.

Individual Responsibilities
Campus Public Safety works hard to promote and ensure the safety of all individuals within its community, which includes staff, students, and community members. However, everyone must also take responsibility for his or her own safety and that of his or her belongings. However, members of the LWTech community must assume some responsibility for their own personal safety and the security of their personal property. The following precautions are offered as a guidance:

- Report all suspicious activities to Campus Public Safety immediately
- Lock your vehicle and don’t leave valuables in plain sight
- Avoid walking alone at night. Call Campus Public Safety for a personal escort
- Sign up for Omnilert emergency campus alerts
- Don’t leave valuables (wallets, purses, books, phones, etc.) unattended
- Secure bicycles in bicycle racks and use good padlocks

Voluntary Confidential Crime Reporting
Even if a victim of crime does not want to pursue action within the College judicial system or the local or state criminal justice system, the victim may still want to consider making a confidential report. With the victim’s permission, the Director, Campus Public Safety, or other LWTech designee can file a report on the details of the incident without revealing the victim’s identity. The purpose of a confidential report is to comply with the victim’s wish to keep the matter confidential, while taking steps to ensure the future safety of that victim, and others. Which such information, LWTech can keep accurate records of the number of incidents involving faculty, staff, students, and guests, and determine if there is a pattern of crime with regard to a particular location, day of the week, time of day/night, the assailant’s method(s) of crime, and then alert the campus community to potential danger. Confidential reports are counted and disclosed in the annual crime statistics for the College (without victim identification).

Limited Voluntary Confidential Reporting
Lake Washington Institute of Technology Campus Public Safety urges anyone who is the victim or witness of any crime to promptly report the incident to Campus Public Safety or local Police. Because Police reports are public records under state law, Campus Public Safety cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other Campus Public Safety Authorities.
Timely Warnings

Timely Warnings are initiated by Campus Public Safety or the office of the President when a crime constitutes an ongoing threat to students and employees; it may be activated by the Campus PA system, E-mails, Text messages, Alertus Mass Notification system, campus runners (word of mouth) and information flyers. Timely Warning reports may be made by Campus Public Safety, other College Officials, and/or local Police agencies; Timely Warnings only cover listed Clery crimes. Contact LWTech Campus Public Safety with all criminal or other emergency information at 425-739-8224, or stop at the Campus Safety Office, East Building, Room E-145.

What circumstances require issuing a timely warning?

Timely warnings are issued on a case-by-case basis for Clery Act crimes or other serious incidents reported to campus security authorities or local police agencies and pose “serious and ongoing threats” to students and employees on campus or in the immediate campus community. In deciding whether to issue a timely warning, the College considers all of the facts surrounding the incident such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. Incidents that may result in issuing a timely warning include the following Clery Act crimes:

- Murder
- Criminal Homicide
- Negligent Manslaughter
- Forcible sex offenses
- Non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson

When will a timely warning notification be issued?

The College will issue a timely warning as soon as it determines there is a serious and ongoing threat to students or employees on campus and / or in the immediate campus community. The determination will be made based on the information Campus Security or the Kirkland Department has available at the time.

How will this information help me?

Timely warnings are designed to empower the campus community members by being alert and aware when there are instances of Clery Act crimes on or nearby the campus. Timely warning notifications will help keep you informed of incidents that effect LWTech and include safety tips to help decrease chances of victimization.
How can I report a Clery Act crime or other crime on campus?

Report all instances of Clery Act crimes to Campus Public Security at 425-739-8224. If you are witnessing a crime in progress, call 911 and then Campus Public Safety. Be prepared to provide your location, a description of what is occurring, suspect and victim information (age, race, height, weight, and clothing), and vehicle information (make, model, color, year, license plate, or physical identifiers).

How can I stay aware of crimes occurring around LWTech or in my community?

Kirkland Police utilize crime reports, which utilizes crime mapping to display reported crimes in the City of Kirkland. CrimeMapping.com is a web-based program which was developed to help law enforcement agencies provide the community with information about recent crime activity in their neighborhood. Through the use of this program, Kirkland specific crime data is extracted from the Police Department’s records system, allowing citizens to view up to 180 days of crime data by various search parameters, to include a date range, crime type, or distance from a specific address.

Emergency Response & Evacuation Procedures

LW Tech’s All Hazards Emergency Response Plan includes information about how LW Tech employees and students should respond to emergencies on campus. In addition, emergency evacuation brochures are available at the Campus Public Safety office and during onboarding.

When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually Campus Public Safety officers, Facilities, and custodial staff, and they typically respond and work as a team to manage the incident. Depending on the nature of the incident, other local agencies could also possibly be involved in responding to the incident.

Emergency notifications will be made, via Omnilert/Alertus Mass Notification, Media Boards, and Public Announcement (PA). LW Tech may also use other means of notification described above to notify the campus community. Campus Public Safety conducts an emergency communications system test at least quarterly. The test includes activation of the Omnilert/Alertus Mass Notification and media boards. In addition, a nightly test is performed of the Public Address (PA) system to inform staff/students the college is closing.

In the event the campus community needs to be evacuated, staff, students, community members will be directed where to evacuate, by using one or all of the emergency notification systems above.

In the event of a building evacuation, all occupants should assemble at the nearest safe assembly area location below. All occupants should familiarize themselves with the Evacuation Assembly Areas 1-7 below. In addition, Floor Supervisors will help occupants evacuate to the buildings.
Evacuation assembly areas:

<table>
<thead>
<tr>
<th>Building</th>
<th>Area Number</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tech Center</td>
<td>1</td>
<td>Northwest parking lot</td>
</tr>
<tr>
<td>East Building</td>
<td>2</td>
<td>North parking lot</td>
</tr>
<tr>
<td>Allied Health Building</td>
<td>3</td>
<td>Grassy area adjacent to main entrance</td>
</tr>
<tr>
<td>Early Learning Center</td>
<td>4</td>
<td>Grassy area adjacent to ELC</td>
</tr>
<tr>
<td>Allied Health Building</td>
<td>5</td>
<td>South parking lot</td>
</tr>
<tr>
<td>West Building</td>
<td>6</td>
<td>West parking lot</td>
</tr>
<tr>
<td>Horticulture</td>
<td>7</td>
<td>Southwest parking lot</td>
</tr>
</tbody>
</table>
Lockdown Procedures

A targeted violence incident can happen on Campus, or in the nearby, off campus community. Depending on the situation, the LWTech response may vary.

- If a Targeted Violence incident occurs on-campus, on the advice of Law Enforcement Officials, LWTech will lock-down exterior doors. Law Enforcement Officials have been provided with master keys, card access, and maps to the LWTech to quickly enter the buildings.
- If a Targeted Violence incident occurs in the adjacent community off campus, local Law Enforcement will likely advise LWTech of the situation. Should this happen, our response will deviate from that of an on-campus targeted violence situation. LWTech will initiate exterior Lockdown Procedures:

**ON-CAMPUS:**

- Call 911 (Campus phones 9-911) and LWTech Campus Public Safety at 425-739-8224.
- LWTech will make announcements through the College Emergency Communications Systems.
- Designated Staff will notify Early Learning Center (ELC) and the Horticulture Complex to lockdown.
- Lock and close classroom doors, and windows, blinds and curtains. Turn off lights.
- Barricade doors if possible.
- Sit or lay against a wall out of the line of sight of doors and windows.
- Silence cell phone ringers; quietly call 911. If you cannot talk, leave the cellphone line open.
- Quietly await further instructions.
- REMAIN IN LOCKDOWN until released by LWTech or Police Officials, regardless of the type of weapon used.

**OFF-CAMPUS:**

- Call 911 (Campus phones 9-911) and Campus Public Safety at 425-739-8224.
- LWTech will initiate external lockdown Procedures.
- LWTech will make announcements through the College Emergency Communications Systems.
- Designated Staff will notify Early Learning Center (ELC) and the Horticulture Complex to lock down.
- Lock and close classroom doors and windows, blinds and curtains.
- Silence cell phone ringers.
- Quietly await further instructions.
- REMAIN IN LOCKDOWN until released by LWTech Officials.

Testing and Exercises

Each year, LWTech conducts at least an earthquake, evacuation, or a lockdown drill. The purpose of the drills is to prepare staff, students, and community members for an organized earthquake, evacuation, or lockdown drill. The drills are used to train occupants on issues related to the aforementioned situations. The tests are facilitated by the Campus Public Safety department with coordination from the Facilities department. After-action items are provided to the Vice President, Administrative Services. Also, information is shared with the college community, via Security Updates.
Record Keeping
After each drill, a report is generated and information regarding the drill is disclosed to campus employees identifying positive feedback, as well as areas for improvement. The Director of Campus Public Safety maintains these records and the drills are logged on Rapid Responder.

Alcohol and Substance Abuse
Students, faculty, staff and administration support the board policy and the law in having a drug and alcohol-free campus. Drugs and alcohol are not permitted anywhere on campus, including parking lots and cars. Violation of this rule may result in immediate termination or suspension. Anyone consuming, distributing, possessing or under the influence of controlled or illicit substances on the campus is subject to suspension, probation, termination, arrest, and prosecution. Any involvement with drugs may also terminate eligibility for financial aid programs. Drug and alcohol prevention and assistance is available to students through Student development & Retention, W207. There are also several community help line numbers: 24 crises clinic – (206) 461-3222, DCHS Mental Health, Chemical Abuse and Dependency Services – (206) 263-9000, Teen Link – (206) 461-4922, Drug and Alcohol hotline – 206 722-3700.

Lake Washington Institute of Technology provides a safe, supported, and engaging learning community where dedicated faculty and staff members have committed to student learning and success. As such, campus events for students were alcohol free and alcohol was prohibited at student events on or off campus. Cannabis or other illegal drugs are not permitted on campus or at any College sponsored activities regardless of location.

Student – Alcohol and Other Drug Awareness
Being aware of your health is an important part of life and a critical part of being a college student. Many things impact your health, including stress, lack of exercise, eating less than healthy foods on a regular basis and over-consumption of alcohol.

Below is information about the student code of conduct, alcohol awareness, other drug awareness and how alcohol and drug usage impacts communities of color. This information is adapted from various governmental resources. LWTech is invested in your health and hopes this information is helpful and informative.

For more information about the Drug-Free School and Communities Act, contact the Vice President of Student Services at (425) 739-8100, or visit West Building, W207 to make an appointment.

Student Code of Conduct – Drugs and Alcohol
Drugs and alcohol are not permitted anywhere on campus, including parking lots and cars. Violation of this rule may result in immediate action. Anyone consuming, distributing, possessing, or under the influence of controlled or illicit substances on the campus is subject to suspension, probation, termination, arrest, and prosecution. Any involvement with drugs may also terminate eligibility for financial aid programs.

Appropriate provisions regulate the possession, use, and sale of alcoholic beverages in Federal/State laws, Chapter 495D of the Washington Administrative Code and campus policies. Illegal drug possession, use or sale is prohibited in accordance with federal and state laws, including Chapter 495D of the Washington Administrative Code.

Specifically, as outlined in the Student Handbook's Prohibited Student Conduct (WAC 495D-121-590) the following is prohibited:
• **Tobacco, Electronic Cigarettes, and Related Products:** The use of tobacco, electronic cigarettes, and related products in any building owned, leased, or operated by the college or in any location where such use is prohibited, including twenty-five (25) feet from entrances, exits, windows that open, and ventilation intakes of any building owned, leased or operated by the college. “Related products” include, but are not limited to, cigarettes, pipes, bidi, clove cigarettes, waterpipes, hookahs, chewing tobacco, and snuff.

• **Alcohol:** Being observably under the influence of any alcoholic beverage, or otherwise using, possessing, selling, or delivering any alcoholic beverage, except as permitted by law and authorized by the college president.

• **Marijuana:** The use, possession, delivery, sale, or being observably under the influence of marijuana or the psychoactive compounds found in marijuana and intended for human consumption, regardless of form. While state law permits the recreational use of marijuana, federal law prohibits such use on college premises or in connection with college activities.

• **Drugs:** Being observably under the influence of any legend drug, narcotic drug, or controlled substance as defined in chapters 69.41 and 69.50 RCW, or otherwise using, possessing, delivering, or selling any such drug or substance, except in accordance with a lawful prescription for that student by a licensed health care professional. Being observably under the influence of any lawfully prescribed drug when enrolled in classes that require operation of heavy equipment or other dangerous equipment.

LWTech’s Responsibility

The Drug and Alcohol School and Communities Act require institutions receiving federal financial assistance to establish drug and alcohol abuse prevention programs for students and employees. Students and employees must receive materials annually that contain standards of conduct, a description of the various laws that apply in that jurisdiction regarding alcohol and drugs, a description of the various health risks of drug and alcohol abuse, a description of available counseling and treatment programs, and a statement on the sanctions the university will impose for a violation of the standards of conduct.

**College Sanctions**

When a student’s behavior interferes with their or others’ ability to effectively and safely attend college classes the use of the student code of conduct might be used. Prohibited behavior is included in this handbook; which includes the use of alcohol on campus, or off-campus at college-sponsored functions or activities.

Primary sanctions (consequences when a student is found responsible for the behavior according to evidence presented during an investigation, based on the standard of proof) may include but are not limited to:

- disciplinary warning
- written reprimand
- disciplinary probation
- disciplinary suspension
- dismissal
Terms and conditions of primary sanction may include:

- restitution
- professional evaluation
- not in good standing

Secondary Sanction may include:

- community or college service
- educational requirements
- restrictions of use
- loss of parking privileges on campus

In the event students needed advice or referrals, the Student Services Department provided mental health information and self-care/wellness education on the college’s website.

- https://www.lwtech.edu/campus-life/counseling/
- https://www.lwtech.edu/campus-life/wellness-resources/

Kirkland Police Department officers have the authority to enforce laws concerning the possession, sale, or use of alcoholic beverages or illegal drugs through criminal arrest or civil citation. The Lake Washington Institute of Technology Student Conduct Code may also apply to infractions of these laws.

**Employee Alcohol and Drug Use Policy**

2.P.03

1. Substance Abuse

   The board of trustees intends to promote the health and well-being of students and college personnel. The college is committed to an ongoing substance abuse prevention, education, and assistance program. Specific procedures relating to substance abuse prevention education, identification, constructive intervention, information, assistance, and referral shall be developed by the college, consistent with existing law and the best interests of all concerned.

   These procedures shall be reviewed and published annually and updated when necessary to comply with current law and to reflect current medical knowledge and abuse prevention practices.

2. Alcoholic Beverages

   The use of alcoholic beverages on campus shall conform with the following:

   A. Lake Washington Institute of Technology reserves the right to permit the use of alcoholic beverages on the campus, as deemed appropriate.

   B. When approved by the president, alcoholic beverages may be served by a recognized campus organization, college administrative unit, or community organization.
C. Approval of alcoholic beverages on campus must be requested at least fourteen (14) working days prior to the date of use. Each program event will be limited to beer and wine service purchased in conjunction with food.

D. All requests from student organizations are to be filed with the office of the executive vice president, instructional services. All other requests are to be filed with the president's office. If the request is congruent with the best interests of the requesting organization and the college, the request may be approved.

E. The application for use of alcoholic beverages on campus must be completed by an authorized representative of the organization who accepts responsibility for compliance with the college and other governmental rules and regulations, where applicable, and agrees to be present at the specific function. A banquet permit is required.

F. The approving administrative official or designee shall be available at functions where alcoholic beverages are being served and has the authority to make decisions that might arise concerning college policies or procedures.

G. All events where alcoholic beverages are served will be approved in accordance with Washington State Liquor Control Board guidelines which permit the consumption of alcoholic beverages at such events.

H. The approving college official shall designate the specific location for the distribution of alcoholic beverages at approved events. A driver's license with picture or a Washington State identification card will be the only acceptable forms of identification to obtain access to the designated distribution locations.

I. Alcoholic beverages will be served and consumed only in a designated area.

J. All sales and use of alcoholic beverages will be covered by the Washington State Law, as interpreted by the Washington State Liquor Control Board.

K. Nonalcoholic beverages will be available to persons under legal age at all college events where alcoholic beverages are served.

L. The college reserves the right to require that security be provided at any function where alcoholic beverages are being served.

M. No person who is under the influence of alcohol or dangerous substances, or who is disorderly in conduct, shall be allowed to serve, consume, or dispense alcoholic beverages.

**Prohibited Conduct on College Facilities**

*9.P05*

The College intends to create a working and learning environment that promotes the safety, health, and well-being of College students and employees. The college bans and/or limits conduct and activities as follows:
1. Drugs.
   Being observably under the influence of any legend drug, narcotic drug, or controlled substance as defined in chapters 69.41 and 69.50 RCW, or otherwise using, possessing, delivering, or selling any such drug or substance, except in accordance with a lawful prescription for that person by a licensed health care professional. Being observably under the influence of any lawfully prescribed drug when enrolled in classes that require operation of heavy equipment or other dangerous equipment.

2. Marijuana.
   The use, possession, delivery, sale, or being visibly under the influence of marijuana or the psychoactive compounds found in marijuana and intended for human consumption, regardless of form. While state law permits the recreational use of marijuana, federal law prohibits such use on college premises or in connection with college activities.

3. Alcohol.
   Being observably under the influence of any alcoholic beverage, or otherwise using, possessing, selling, or delivering any alcoholic beverage, except as permitted by law and authorized by the college president.

In the event employees needed advice or referrals, Human Resources or individual supervisors were directed to the Employee Assistance Program provided at no cost to help Washington State Government employees and their family members resolve personal or work-related problems.

- https://www.lwtech.edu/about/human-resources/benefits/living-well-at-lwtech/

The Biennial Review Report is available on our website and updated bi-annually in the summer (odd years):

- https://www.lwtech.edu/about/campus-safety/crime-statistics/
- https://www.lwtech.edu/campus-life/wellness-resources/alcohol-awareness/

Generally, the possession, sale, and/or use of alcohol is strictly prohibited on the LWTech Campus; however, an exemption to this is granted for the College Winemaking Program, the Chef City Grill, and other authorized functions. The possession, sale, use, or distribution of illegal drugs is specifically prohibited on Campus through the LWTech Student Conduct Code WAC 495D-121-160 (13)

Appropriate provisions regulate the possession, use and sale of alcoholic beverages in Federal/State laws, Chapter 495D of the Washington Administrative Code and campus policies. Illegal drug possession, use or sale is prohibited in accordance with federal and state laws, including Chapter 495D of the Washington Administrative Code.

Employee Assistance Program
The Employee Assistance Program (EAP) helps Washington State government employees and their family members resolve personal and work-related problems. Using the EAP does not cost the employee anything. Employee visits to the Employee Assistance Program are confidential (with exceptions for certain state and federal laws regarding abuse of a minor child, elderly person, disabled person, threats to self or others). Also, according to RCW 41.04.730 if the supervisor or HR directly refers the employee to EAP prior to their initial EAP contact regarding work performance issues, then EAP is required to let the supervisor know:
• Whether or not the referred employee made an appointment
• The date/time the employee arrived and departed
• Whether further appointments were scheduled

The College recognizes that employee participation or non-participation in the EAP is voluntary and cannot be used in any decision affecting an employee’s job security, promotional opportunities, corrective or disciplinary action, or other employment rights.

Sexual Assault Prevention & Response
If you are a victim of sexual assault at Lake Washington Institute of Technology, your first priority is to get to a place of safety; you should then obtain necessary medical treatment. Campus Public Safety strongly advocates that a victim of sexual assault reports the incident in a prompt manner; time is a critical factor for evidence collection and preservation. A sexual assault should be directly reported to Campus Public Safety or another Campus Public Safety Authority (CSA). Filing a Police report through Campus Public Safety will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from Officers. Filing a Police Report will:

• Ensure the victim of sexual assault receives the necessary medical treatment and tests at no expense to the victim
• Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally, a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam)
• Ensure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention

When a sexual assault victim contacts Campus Public Safety, local Police will be notified. The victim may choose to have the investigation pursued through the criminal justice system and the campus judicial system or limit the investigation to one of them only. Campus Public Safety, or other specially trained college authority, will guide the victim through available options, and support the victim in their decisions. Various counseling options are available through LWTech Counseling Services and the Employee Assistance Program (EAP); other support services are available through the local Rape Crisis Center and local support groups.

The College judicial system allows the victim, and the accused, each to be allowed to choose a person who has no formal legal training to accompany them throughout a judicial conduct hearing. Both the victim and the accused will be informed of the outcome of the hearing. A student found guilty of violating the College Sexual Misconduct policy may be suspended or expelled from the College. The College will work with student victims to change their academic calendar after an alleged sexual assault, if such changes are reasonably available.
Title IX & Sexual Misconduct

Title IX Policy
2.P.15.5

Lake Washington Institute of Technology (LWTech) recognizes its responsibility to investigate, resolve, implement corrective measures, and monitor the educational environment and workplace to stop, remediate, and prevent discrimination on the basis of sex, as required by Title IX of the Educational Amendments of 1972. Title VII of the Civil Rights Act of 1964, the Violence Against Women Reauthorization Act, and Washington State’s Law Against Discrimination, and their implementing regulations. To this end, College has enacted and adopted the following Title IX Grievance Procedure for receiving and investigating Sexual Harassment allegations arising during education programs and activities. Any individual found responsible for violating the College’s Title IX policy is subject to disciplinary action up to and including dismissal from the College educational programs and activities and/or termination of employment.

Application of this Title IX Grievance Procedure is restricted to allegations of “Sexual Harassment,” as that term is defined in 34 C.F.R. §106.30. Nothing in this procedure limits or otherwise restricts the College’s ability to investigate and pursue discipline based on alleged violations of other federal, state, and local laws, their implementing regulations, and other college policies prohibiting gender discrimination through processes set forth in the College’s code of student conduct, employment contracts, employee handbooks, and collective bargaining agreements.

Any employee, student, applicant, or visitor who believes that he, she or they have been the subject of discrimination or harassment should report the incident or incidents to the College’s Title IX Coordinator identified below. If the complaint is against that Title IX Coordinator, the complainant should report the matter to the President’s office for referral to an alternate designee.

- **Meena Park**, Executive Director, Human Resources, Title IX/EEO Coordinator/Affirmative Action Officer/Ethics Officer
  Lake Washington Institute of Technology
  West Building, W304
  11605 132nd Avenue, NE
  Kirkland, WA 98034-8506
  T: 425.739.8212/meena.park@lwtech.edu

- **Ruby Hayden**, Vice President, Student Services, 425.739.8208
  Deputy Title IX Coordinator
  Lake Washington Institute of Technology
  West Building, W213C
  11605 132nd Avenue NE
  Kirkland, WA 98034-8506
  T: 425.739.8208/ruby.hayden@lwtech.edu
The College encourages the timely reporting of any incidents of discrimination or harassment. Long delays may be considered detrimental to the accuracy of the complaint. Complaints may be submitted in writing or orally.

Hardcopies of the complaint form are available at the following locations on campus at Lake Washington Institute of Technology, 11605 132nd Ave. NE, Kirkland, WA 98034:

- Human Resources Office
- Campus Public Safety
- Student Services Administrator

**Student Conduct Code—Supplemental Title IX Procedures – Order of Precedence**

5.P.120

Policy

This supplemental procedure applies to allegations of Sexual Harassment subject to Title IX jurisdiction pursuant to regulations promulgated by the United States Department of Education. See 34 C.F.R. § 106. To the extent these supplemental hearing procedures conflict with Lake Washington Institute of Technology’s standard disciplinary procedures, WAC 495D-121-320 through -670, these supplemental procedures shall take precedence.

**Student Conduct Code—Supplemental Title IX Procedures – Prohibited Conduct Under Title IX**

5.P.122

Policy

Pursuant to RCW 28B.50.140(13) and Title IX of the Education Act Amendments of 1972, 20 U.S.C. §1681, Lake Washington Institute of Technology may impose disciplinary sanctions against a student who commits, attempts to commit, or aids, abets, incites, encourages, or assists another person to commit, an act(s) of “sexual harassment.”

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

1. **Quid Pro Quo Harassment.** A Lake Washington Institute of Technology employee conditioning the provision of an aid, benefit, or service of Lake Washington Institute of Technology on an individual’s participation in unwelcome sexual conduct.

2. **Hostile Environment.** Unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Lake Washington Institute of Technology’s educational programs or activities, or employment.

3. **Sexual Assault.** Sexual assault includes the following conduct:
   a. **Nonconsensual sexual intercourse.** Any actual or attempted sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.
   b. **Nonconsensual sexual contact.** Any actual or attempted sexual touching, however slight, with any body part or object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.
c. Incest. Sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of eighteen (18).

d. Statutory Rape. Consensual sexual intercourse between someone who is eighteen (18) years of age or older and someone who is under the age of sixteen (16).

4. Domestic violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of State of Washington, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Washington, RCW 26.50.010.

5. Dating violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors:

6. Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

Student Conduct Code—Supplemental Title IX Procedures – Prohibited Conduct Under Title IX

5.P.124

Policy

1. This supplemental procedure applies only if the alleged misconduct:
   a. Occurred in the United States;
   b. Occurred during a Lake Washington Institute of Technology educational program or activity; and
   c. Meets the definition of Sexual Harassment as that term is defined in this supplemental procedure.

2. For purposes of this supplemental procedure an “educational program or activity” is defined as locations, events or circumstances over which Lake Washington Institute of Technology exercised substantial control over both the respondent and the context in which the alleged sexual harassment occurred. This definition includes any building owned or controlled by a student organization that is officially recognized by Lake Washington Institute of Technology.

3. Proceedings under this supplemental procedure must be dismissed if the decision maker determines that one or all of the requirements of Section 1(a)-(c) have not been met. Dismissal under this supplemental procedure does not prohibit Lake Washington Institute of Technology from pursuing other disciplinary action based on allegations that the Respondent violated other provisions of Lake Washington Institute of Technology's student conduct code, WAC 495D-121-320 through -670.

4. If the Student Conduct Officer determines the facts in the investigation report are not sufficient to support Title IX jurisdiction and/or pursuit of a Title IX violation, the Student Conduct Officer will issue a notice of dismissal in whole or part to both parties explaining why some or all of the Title IX claims have been dismissed.
Student Conduct Code—Supplemental Title IX Procedures – Initiation of Discipline
5.P.126

Policy

1. Upon receiving the Title IX investigation report from the Title IX Coordinator, the Student Conduct Officer will independently review the report to determine whether there are sufficient grounds to pursue a disciplinary action against the Respondent for engaging in prohibited conduct under Title IX.

2. If the Student Conduct Officer determines that there are sufficient grounds to proceed under these supplement procedures, the Student Conduct Officer will initiate a Title IX disciplinary proceeding by filing a written disciplinary notice with either the Chair of the Student Conduct Committee or the college’s appointed Title IX Hearing Officer and serving the notice on the Respondent and the Complainant, and their respective advisors. The notice must:
   a. Set forth the basis for Title IX jurisdiction;
   b. Identify the alleged Title IX violation(s);
   c. Set forth the facts underlying the allegations(s);
   d. Identify the range of possible sanctions that may be imposed if the Respondent is found responsible for the alleged violations(s);
   e. Explain that the parties are entitled to be accompanied by their chosen advisors during the hearing and that:
      i. The advisors will be responsible for questioning all witnesses on the party’s behalf;
      ii. An advisor may be an attorney; and
      iii. Lake Washington Institute of Technology will appoint the party an advisor of Lake Washington Institute of Technology’s choosing at no cost to the party, if the party fails to do so; and

3. Explain that if a party fails to appear at the hearing, a decision of responsibility may be made in their absence.

Student Conduct Code—Supplemental Title IX Procedures – Pre-Hearing Procedure
5.P.128

Policy

1. Upon receiving the disciplinary notice, the Chair of the Student Conduct Committee or the college’s appointed Title IX Hearing Officer will send a hearing notice to all parties, in compliance with WAC 495D-121-410. In no event will the hearing date be set less than ten (10) days after the Title IX Coordinator provided the Final Investigation Report to the parties.

2. A party may choose to have an attorney serve as their advisor at the party’s own expense. This right will be waived unless, at least five (5) days before the hearing, the attorney files a notice of appearance with the committee chair with copies to all parties and the student conduct officer.
3. In preparation for the hearing, the parties will have equal access to all evidence gathered by the investigator during the investigation, regardless of whether Lake Washington Institute of Technology intends to offer the evidence at the hearing.

**Student Conduct Code—Supplemental Title IX Procedures – Rights of Parties**  
5.P.130

Policy

1. Lake Washington Institute of Technology’s Student Conduct Procedures, WAC 495D-121-320 through – 670, and this supplemental procedure shall apply to all parties.
2. The Lake Washington Institute of Technology bears the burden of offering and presenting sufficient testimony and evidence to establish that the Respondent is responsible for a Title IX violation by a preponderance of the evidence.
3. The Respondent will be presumed not responsible until such time as the disciplinary process has been finally resolved.
4. During the hearing, each party shall be represented by an advisor. The parties are entitled to an advisor of their own choosing and the advisor may be an attorney. If a party does not choose an advisor, then the Title IX Coordinator will appoint an advisor of Lake Washington Institute of Technology’s choosing on the party’s behalf at no expense to the party.

**Student Conduct Code—Supplemental Title IX Procedures – Evidence**  
5.P.132

Policy

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

1. Relevance: The Committee Chair or the college’s appointed Title IX Hearing Officer shall review all questions for relevance and shall explain on the record their reasons for excluding any question based on lack of relevance.
2. Relevance means that information elicited by the question makes facts in dispute more or less likely to be true.
3. Questions or evidence about a Complainant’s sexual predisposition or prior sexual behavior are not relevant and must be excluded, unless such question or evidence:
   a. Is asked or offered to prove someone other than the Respondent committed the alleged misconduct; or
   b. Concerns specific incidents of prior sexual behavior between the Complainant and the Respondent, which are asked or offered on the issue of consent.
4. Cross-examination required: If a party or witness does not submit to cross-examination during the live hearing, the Committee or the college’s appointed Title IX Hearing Officer must not rely on any statement by that party or witness in reaching a determination of responsibility.
5. No negative inference: The Committee or the college’s appointed Title IX Hearing Officer may not make an inference regarding responsibility solely on a witness’s or party’s absence from the hearing or refusal to answer questions.
6. Privileged evidence: The Committee or the college’s appointed Title IX Hearing Officer shall not consider legally privileged information unless the holder has effectively waived the privilege. Privileged information includes, but is not limited to, information protected by following:

   a. Spousal/domestic partner privilege;
   b. Attorney-Client and attorney work product privileges;
   c. Privileges applicable to members of the clergy and priests;
   d. Privileges applicable to medical providers, mental health therapists, and counsellors;
   e. Privileges applicable to sexual assault and domestic violence advocates; and
   f. Other legal privileges identified in RCW 5.60.060.

---

**Student Conduct Code—Supplemental Title IX Procedures – Initial Order 5.P.134**

**Policy**

In addition to complying with WAC 495D-121-430, the Student Conduct Committee or the college’s appointed Title IX Hearing Officer will be responsible for conferring and drafting an Initial Order that:

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

---

**Student Conduct Code—Supplemental Title IX Procedures – Initial Order 5.P.136**

**Policy**

1. The Parties shall have the right to appeal from the Initial Order’s determination of responsibility and/or dismissal of an allegations(s) of sexual harassment in a formal complaint. The right to appeal will be subject to the same procedures and timeframes set forth in WAC 495D-121-440.
2. The President or their delegate will determine whether the grounds for appeal have merit, provide the rationale for this conclusion, and state whether the disciplinary sanction and condition(s) imposed in the Initial Order are affirmed, vacated, or amended, and, if amended, set forth any new disciplinary sanction and/or condition(s).
3. President’s Office shall serve the Final Decision on the parties simultaneously.

About Title IX

Title IX of the Education Amendments of 1972 (Title IX) is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded educational programs and activities. Under Title IX, sexual assault and sexual harassment are forms of discrimination on the basis of sex. The Department of Education’s Office for Civil Rights, which enforces Title IX, has recently provided detailed guidance on how educational institutions like LWTech must investigate and respond to complaints of sexual assault and sexual harassment.

Definitions

For the purposes of this Title IX Grievance Procedure, the following terms are defined as follows:

Consent: means knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Each party has the responsibility to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be at the time of the act of sexual intercourse or sexual contact actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has engaged in nonconsensual conduct.

Intoxication is not a defense against allegations that an individual has engaged in nonconsensual sexual conduct.

Complainant: means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.

Respondent: means individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.

Formal Complaint: means a writing submitted by the Complainant or signed by the Title IX coordinator alleging Sexual Harassment against a Respondent and requesting that the College conduct an investigation.

Education Program or Activity: includes locations, events, or circumstances over which the College exercised substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurred. It also includes any building owned or controlled by a student organization officially recognized by the College.

Grievance Procedure is the process the College uses to initiate, informally resolve, and/or investigate allegations that an employee or student has violated Title IX provisions prohibiting sexual harassment.

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent regardless of whether the Complainant or the Title IX Coordinator has filed a Formal Complaint. Supportive Measures restore or preserve a party’s access to the College’s education programs and activities without unreasonably burdening the other party, as determined through an interactive process between the Title IX Coordinator and the party. Supportive Measures include measures designed to protect the safety of all parties and/or the College’s educational environment and/or to deter Sexual Harassment or retaliation. Supportive measures may include, but are not limited to,
• counseling and other medical assistance
• extensions of deadlines or other course-related adjustments
• modifications of work or class schedules
• leaves of absence
• increased security or monitoring of certain areas of campus
• imposition of orders prohibiting the parties from contacting one another in housing or work situations. Determinations about whether to impose a one-way no contact order must be made on a case-by-case basis. If supportive measures are not provided, the Title IX Coordinator must document in writing why this was clearly reasonable under the circumstances.

**Summary Suspension** means an emergency suspension of a student Respondent pending investigation and resolution of live hearing proceedings pursuant to the procedure and standards set forth in WAC.

**Sexual Harassment:** For purposes of these Title IX Grievance Procedures, Sexual Harassment occurs when a Respondent engages in the following discriminatory conduct on the basis of sex:

• **Quid Pro Quo Sexual Harassment.** A College employee conditioning the provision of an aid, benefit, or service of the College on an individual’s participation in unwelcome sexual conduct.

• **Hostile Environment Sexual Harassment.** Unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College’s educational programs or activities or College employment.

• **Sexual Assault.** Sexual assault includes the following conduct:
  
  o **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.

  o **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.

  o **Incest** sexual intercourse or sexual contact with a person known to be related to them, either, illegitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related, Descendant includes stepchildren, and adopted children under the age of eighteen (18).

  o **Statutory Rape** consensual intercourse between a person who is eighteen (18) years of age or older, and a person who is under the age of sixteen (16).
Domestic Violence Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Washington, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the State of Washington, RCW 26.50.010.

Dating Violence Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors:

(a) The length of the relationship;
(b) The type of relationship; and
(c) The frequency of interaction between the persons involved in the relationship.

Stalking Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.

• Title IX Administrators are the Title IX Coordinator, Title IX investigators, the Student Conduct Officer, Student Conduct Committee members, and College-provided advisors assigned to the parties by the College during Title IX live hearing proceedings.

• Title IX Coordinator is responsible for processing Title IX complaints and conducting and/or overseeing formal investigations and informal resolution processes under this Grievance Procedure. Among other things, the Title IX Coordinator is responsible for:

a. Accepting and processing all Title IX reports, referrals, and Formal Complaints.

b. Executing and submitting a Formal Complaint when appropriate and necessary.

c. Handling requests for confidentiality.

d. Determining during the Grievance Procedure (i) whether a Formal Complaint should be dismissed either in whole or in part, and if so, (ii) providing notice to both parties about why dismissal was necessary or desirable, and (iii) referring the complaint to the appropriate disciplinary authority for proceedings outside the jurisdiction of Title IX.

e. Maintaining accurate records of all complaints, reports, and referrals, and retaining investigation files, complaints, reports, and referrals in compliance with the applicable records retention schedules or federal or state law, whichever is longer.

f. Conducting investigations or assigning and overseeing investigations.
g. Engaging in an interactive process with both parties to identify and provide supportive measures that ensure during the investigation and live hearing processes that the parties have equitable access to education programs and activities and are protected from further discrimination or retaliation.

h. Upon completion of an investigation, issuing or overseeing the issuance of a final investigation report to the parties and the appropriate disciplinary authority in compliance with this Grievance Procedure.

i. Recommending non-disciplinary corrective measures to stop, remediate, and/or prevent recurrence of discriminatory conduct to disciplinary authorities and other College administrators.

Principles for Title IX Grievance Procedure

- Respondent shall be presumed not responsible for the alleged conduct unless or until a determination of responsibility is reached after completion of the grievance and live hearing processes.

- Before imposing discipline, the College is responsible for gathering and presenting evidence to a neutral and unbiased decision maker establishing responsibility for a Title IX violation by a preponderance of the evidence.

- The College shall treat both the Complainant and Respondent equitably by providing Complainant with remedies against Respondent who has been found responsible for Sexual Harassment through application of the institution’s Title IX grievance and applicable Title IX live hearing procedures and by providing Respondent with Title IX procedural safeguards contained in this Title IX Grievance Procedures and in the applicable Title IX live hearing procedures.

- The investigator shall base investigation results on all relevant evidence, including both exculpatory and inculpatory evidence.

- Formal and informal resolutions will be pursued within reasonably prompt timeframes with allowances for temporary delays and extensions for good cause shown. Grounds for temporary delay include, but are not limited to school breaks and other frequently encountered scheduling issues that delay investigations. Good cause supporting a request for an extension includes, but is not limited to: a party, a party’s advisor, or a witness being unavailable, concurrent law enforcement activity, and the need for language assistance or accommodation of disabilities. Both parties will receive written notice of any temporary delay or extension for good cause with an explanation of why the action was necessary.

- A Respondent found responsible for engaging in Sexual Harassment may receive discipline up to and including dismissal from the College. A description of other possible disciplinary sanctions and conditions that may be imposed against students can be found in WAC 495D-121-690.

An employee found responsible for Sexual Harassment may receive discipline up to and including dismissal from employment. A description of possible disciplinary sanctions and conditions that may be imposed against employees can be found at 2.P.15.5.
• In proceedings against a student Respondent, the parties may appeal the Student Conduct Committee’s ruling to the President pursuant to WAC 495D-121-760 and Supplement Title IX Student Conduct Code Procedures, WAC 495D-121-750.

In proceedings against an employee Respondent, the parties may appeal the Employee Disciplinary Decision to the President (or designee) pursuant to Title IX employee Live Hearing Procedure.

• Title IX Administrators may not require, allow, rely upon, or otherwise use questions or evidence that seeks disclosure of privileged communications, unless the privilege has been effectively waived by the holder. This provision applies, but is not limited to information subject to the following:
  a. Spousal/domestic partner privilege;
  b. Attorney-Client and attorney work product privileges;
  c. Privileges applicable to members of the clergy and priests;
  d. Privileges applicable to medical providers, mental health therapists, and counsellors;
  e. Privileges applicable to sexual assault and domestic violence advocates; and
  f. Other legal privileges identified in RCW 5.60.060.

Title IX Administrators – Free from bias – Training requirements

1. Title IX Administrators shall perform their duties free from bias or conflicts.

2. Title IX Administrators shall undergo training on the following topics:
   a. The definition of Sexual Harassment under these procedures,
   b. The scope of the College’s educational programs and activities,
   c. How to conduct an investigation,
   d. How to serve impartially without prejudgment of facts, conflicts of interest, or bias,
   e. Use of technology used during an investigation or hearing,
   f. The relevance of evidence and questions, and
   g. Effective report writing.

3. All Title IX Administrator training materials shall be available on the College’s Title IX webpage.

Filing a Complaint
Any employee, student, applicant, or visitor who believes that they have been the subject of Sexual Harassment should report the incident or incidents to the College’s Title IX Coordinator identified below. If the complaint is against that Title IX Coordinator, the Complainant should report the matter to the President’s office for referral to an alternate designee.
Confidentiality

1. The College will seek to protect the privacy of both the complainant to the fullest extent possible, consistent with its legal obligation to investigate, take appropriate remedial and/or disciplinary actions, and comply with federal law, state law, and college policy. Although the college will attempt to honor a Complainant’s requests for confidentiality, it cannot guarantee complete confidentiality. Determinations regarding how to handle request for confidentiality will be made by the Title IX Coordinator.

2. The Title IX Coordinator will inform and attempt to obtain consent from the Complainant before commencing an investigation of alleged Sexual Harassment. If a Complainant asks that their name not be revealed to the Respondent or that the College not investigate the allegation, the Title IX 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 their name not be disclosed or that the College not investigate, the Title IX Coordinator will determine whether the College can honor the request and at the same time maintain a safe and nondiscriminatory 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:

   a. The seriousness of the alleged Sexual Harassment;
   b. The age of the Complainant;
   c. Whether the Sexual Harassment was perpetrated with a weapon;
   d. Whether the Respondent has a history of committing acts of Sexual Harassment or violence or has been the subject of other Sexual Harassment or violence complaints or findings;
   e. Whether the Respondent threatened to commit additional acts of Sexual Harassment or violence against the Complainant or others; and
   f. Whether relevant evidence about the alleged incident can be obtained through other means (e.g., security cameras, other witnesses, physical evidence).

3. If the College is unable to honor a Complainant’s request for confidentiality, the Title IX 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 in compliance with this Grievance Procedure.

4. If the College decides not to conduct an investigation or take disciplinary action because of a request for confidentiality, the Title IX Coordinator will evaluate whether other measures are available to address the circumstances giving rise to the complaint and prevent their recurrence, and implement such measures if reasonably feasible.

Complaint Resolution

The Title IX resolution processes are initiated when the Title IX Coordinator’s Office receives a written complaint alleging that a Respondent(s) sexually harassed a Complainant and requesting that the College initiate an investigation (a Formal Complaint). A Formal Complaint must be either submitted by the Complainant or signed by the Title IX Coordinator on behalf of the Complainant. Formal complaints submitted to the Title IX Coordinator may be resolved through either informal or formal resolution processes. The College will not proceed with either resolution process without a Formal Complaint.
For purposes of this Title IX Grievance Procedure, the Complainant must be participating in or attempting to participate in a College education program or activity at the time the Formal Complaint is filed.

1. Informal Resolution:

Under appropriate circumstances and if the impacted and responding parties agree, they may voluntarily pursue informal resolution during the investigation of a concern. Informal resolution is not appropriate when the allegations involve a mandatory reporting situation, an immediate threat to the health, safety or welfare of a member of the College community, or in cases where an employee is alleged to have sexually harassed a student.

If an informal resolution is appropriate, the impacted party and the responding party may explore remedies or resolution through:

- Guided conversations or communications conducted by the Title IX coordinator / HRO representative or a mutually agreed upon third party;
- Structured resolution process conducted by a trained mediator; or
- Voluntarily agreed on alterations to either or both of the parties’ work or class schedules or student housing arrangements.

If the parties agree to an informal resolution process, the College will commence the process within 10 days after the parties agree to this option and conclude within 10 days of beginning that process; subject to reasonably delays and extensions for good cause shown. The informal process is voluntary. Either the impacted or responding party may withdraw from the informal resolution process at any time, at which point the formal investigation process will resume.

If the impacted and responding party voluntarily resolve a report, the College will record the terms of the resolution in a written agreement signed by both parties and provide written notice to both parties that the report has been closed.

2. Formal Resolution:

Formal resolution means that the Complainant’s allegations of Sexual Harassment will be subjected to a formal investigation by an impartial and unbiased investigator. The investigator will issue a report of the investigation findings. Upon completion of the investigation, the investigator will submit the final investigation report to the appropriate authority (Chair of the Live Hearing Proceedings) to determine whether live hearing proceedings are warranted.

Emergency Removal

If a student Respondent poses an immediate threat to the health and safety of the College Community or an immediate threat of significant disruption to College operations, the College’s student conduct officer may summarily suspend a Respondent pursuant WAC 495D-121-600 pending final resolution of the allegations.

Nothing in this Grievance Procedure prohibits the College from placing non-student employees on administrative leave pending final resolution of the allegations.
Investigation Notices

Upon receiving a Formal Complaint and determining that allegations comport with Title IX claims, the College will provide the parties with the following notices containing the following information:

2. Notice of formal and informal resolution processes. A description of the College’s grievance resolution procedures, including the informal resolution procedure.

3. The investigator will serve the Respondent and the Complainant with a Notice of Investigation in advance of the initial interview with the Respondent to allow the Respondent sufficient time to prepare a response to the allegations and to inform the Complainant that the College has commenced an investigation. The investigation notice will:

   a. Include the identities of the parties (if known), a description of the conduct alleged constituting Title IX Sexual Harassment, and the time and location of the incident (if known).

   b. Confirm that the Respondent is presumed not responsible for the alleged conduct and that the College will not make a final determination of responsibility until after the grievance and live hearing processes have been completed.

   c. Inform parties that they are both entitled to have an advisor of their own choosing, who may be an attorney.

   d. Inform parties they have a right to review and inspect evidence.

   e. Inform parties about student conduct code provisions and employment policies that prohibit students and employees from knowingly submitting false information during the grievance and live hearing processes.

4. Amended investigation notice. If during the course of the investigation, the College decides to investigate Title IX Sexual Harassment allegations about the Complainant or Respondent that are not included in the investigation notice, the College will issue an amended notice of investigation to both parties that includes this additional information.

5. Interview and meeting notices. Before any interviewing or meeting with a party about Title IX allegations, the College shall provide the party with a written notice identifying the date, time, location, participants, and purpose of the interview or meeting with sufficient time for the party to prepare for the interview or meeting.

Investigation Process Dismissal

1. Mandatory dismissal. The Title IX Coordinator will dismiss the Title IX allegations, if during the course of a formal investigation under the Title IX Grievance Process, the investigator determines that the alleged misconduct in the Formal Complaint:

   a. Does not meet the definition of Sexual Harassment under Title IX, even if proved; or

   b. Did not occur in the context of a College Education Program or Activity; or

   c. Occurred outside the United States.

2. Discretionary dismissal. The College may dismiss a Title IX claim in whole or in part, if:
a. The Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint in whole or in part;

b. Respondent is no longer enrolled with or employed by the College; or

c. Specific circumstances prevent the College from gathering evidence sufficient to complete the investigation of the Title IX allegations in whole or in part.

3. The Title IX Coordinator will provide both parties written notice if Title IX allegations are dismissed with an explanation for the dismissal.

4. Mandatory or discretionary dismissal of a Title IX claim does not preclude the College from investigating and pursuing discipline based on allegations that a Respondent violated other federal or state laws and regulations, College conduct policies, and/or other codes and contractual provisions governing student and employee conduct.

Investigation Process – Consolidation of Formal Complaints

When multiple Sexual Harassment allegations by or against different parties arise out of the same facts or circumstances, the College may consolidate the investigation of Formal Complaints, provided consolidation can be accomplished in compliance with confidentiality protections imposed by the Family Educational Records and Privacy Act (FERPA). This includes instances in which Complainant and Respondent have lodged Formal Complaints against one another or when allegations of sexual assault are lodged by a single Complainant against multiple Respondents, or when multiple Complainants lodge sexual assault complaints against single or multiple Respondents.

Investigation Process – Required Procedures

During the investigation, the Investigator:

1. Will provide the parties with equal opportunity to present relevant statements, and other evidence in the form of fact or expert witnesses and incriminating or exculpatory evidence.

2. Will not restrict the ability of either party to discuss the allegations under investigation or gather and present relevant evidence, except when a no contact order has been imposed based on an individualized and fact specific determination that a party poses a threat to the health, safety, or welfare of another party and/or witnesses or when contact with a party and/or witness is prohibited by court order. A College-imposed no contact shall be no broader than is necessary to protect the threatened party or witness and must provide the impacted party or their advisor with alternative means of gathering and presenting relevant evidence from the protected witness and/or party.

3. Will allow each party to be accompanied by an advisor of their choosing, who may be an attorney, to any grievance related meeting or interview. Advisors’ roles during the investigation meetings or interviews will be limited to providing support and advice to the party. Advisors will not represent or otherwise advocate on behalf of the parties during the investigation process. An attorney representing a party must enter a notice of appearance with the Title IX Coordinator and the Investigator at least five (5) days before the initial interview or meeting they plan to attend, so that the College can secure its own legal representation, if necessary.
4. The investigator will provide both parties and their respective advisors with an equal opportunity to review the draft investigation report and to inspect and review any evidence obtained during the investigation that is directly related to the allegations raised in the Formal Complaint, including inculpatory or exculpatory evidence, regardless of its source, as well as evidence upon which the investigator does not intend to rely in the final investigation report. After disclosure, each party will receive ten (10) days in which to submit a written response, which the investigator will consider prior to completion of the investigation report. If a party fails to submit a written response within ten (10) days, the party will be deemed to have waived their right to submit comments and the investigator will finalize the report without this information.

5. The investigator will forward the final report to the Title IX Coordinator, who will distribute the report and evidence to the parties, as well as the authority (Chair of the Live Hearing Proceedings) responsible for determining whether pursuing disciplinary action is warranted.

**LWTech's Responsibilities to Address Sexual Harassment & Sexual Violence**

The college’s responsibility is to respond promptly and effectively. If the college knows or reasonably should know about sexual harassment or sexual violence that creates a hostile environment, the college must take immediate action to eliminate the sexual harassment or sexual violence, prevent its recurrence, and address its effects. Even if a student’s parent does not want to file a complaint or does not request that the college take any action on the student’s behalf, if a college knows or reasonably should know about possible sexual harassment or sexual violence, it must promptly investigate to determine what occurred and then take appropriate steps to resolve the situation. A criminal investigation into allegations of sexual harassment or sexual violence does not relieve the college of its duty under Title IX to resolve complaints promptly and equitably.

**What Is the Role of a Title IX Coordinator?**

The Title IX Coordinator’s responsibilities include:

- Providing information and assistance to those who wish to raise a complaint or have concerns relating to the LWTech’s compliance with Title IX
- Facilitating the college's compliance with Title IX, including responding effectively to each complaint
- Providing assistance and support to college programs responsible for responding to and investigating complaints
- Identifying and addressing any patterns or systemic issues relating to Title IX compliance
- Facilitating college-wide training and outreach
- Where appropriate, responding to or conducting an investigation of complaints
- Participating in and providing support for committees and other programs dedicated to Title IX compliance

Both a complainant and a respondent are given the opportunity to have support or advice through the process. During the investigation process, either the complainant or the respondent may have only one individual accompany them to any meetings and interviews – these individuals are collectively referred to as “Advisors” in this document. The individual may be a friend, victim advocate, lawyer, employee, family member, union representative, or other person chosen by the complainant or respondent. During the live hearing an advisor is mandatory. If an advisor is not chosen 10 days prior to the live hearing, an advisor will be appointed to the party.
The Advisor is someone who can provide emotional, logistical, legal (lawyers), or other support or advice to a complainant or respondent during the process.

If a person serves as an advisor, they must participate in an orientation provided by Lake Washington Institute of Technology (the College). At the discretion of the College, orientation may be provided in-person, virtual / video conference, recording, and/or written format. The orientation will cover, including, but not limited to being trauma-informed, on and off campus resources, evidence evaluation, cross-examination of witnesses and parties, rules governing the live hearing, and appropriate & inappropriate behaviors of advisors.

If a party chooses a witness as advisor, witness serves as an advisor has the potential of undermining the credibility of a party’s statements.

An advisor must sign a Family Educational Rights and Privacy Act (FERPA) waiver and complete FERPA training. FERPA (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

It is up to the complainant and respondent to present their information in meetings, interviews, and the live hearing. Advisors cannot speak for their party and do not have an active role during any meetings, interviews, and live hearing. An Advisor, even if an attorney, does not provide active representation of a party the way that an attorney ordinarily would in a formal legal proceeding. Advisors are allowed to provide a reasonable amount of clarification during the meeting or interview. A party does have the right to take a break from a meeting or interview to speak with their advisor.

Advisors should not be reaching out to the other party and their advisor.

A complainant or respondent may use different Advisor(s) at various stages in the process, especially if their chosen individual cannot be available for a scheduled meeting, interview, or the live hearing. The College will work to reasonably accommodate the Advisors’ schedules, but will not unnecessarily delay the process due to the Advisors’ conflicts.

This matter involves an alleged policy violation, not a criminal charge, and the process will follow College policies and procedures. An Advisor may be removed or replaced if they unreasonably delay the process, and/or their presence is disruptive, obstructive, or otherwise interferes with the College’s handling of the matter. In such a case, the complainant or respondent may seek another Advisor.
• The College’s policy prohibits retaliation against any individuals filing a complaint or participating in the investigation of the complaint. An Advisor is also protected by and subject to this retaliation prohibition. This means an Advisor may not retaliate against any person participating in this process, nor can anyone retaliate against an Advisor. To report possible retaliation, please contact Human Resources immediately.
• Advisors provide cross-examination during the live hearing.
• Advisors are not required, but can be present, if the party chooses, during the informal process.
• If an advisor is continuously behaving inappropriately, they can be dismissed as an advisor. This action will be documented in a letter and sent the former advisor and party.
• Conversations outside meetings and interviews can negatively impact the investigations process.

Complaint Reporting

Who May File A Report
Any employee, applicant, student or visitor of LWTech may file a complaint. Complaints may be submitted in writing or verbally. LWTech encourages the timely reporting of any incidents of discrimination or harassment.

Confidentiality & Right to Privacy
LWTech will seek to protect the privacy of the complainant, respondent, and all other parties involved, 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 District policies and procedures.

Note
Although LWTech will attempt to honor complainants’ requests for confidentiality, it cannot guarantee complete confidentiality.

Rights & Responsibilities of the College to Complainants and Respondents
• They will be treated with sensitivity, dignity, respect, confidentiality, and in an unbiased manner by all involved administrators, investigators and adjudicators.
• They will be informed in writing that a complaint of sexual misconduct against them is being investigated, and of any other suspected policy violations being explored through this investigation.
• They will be advised of the college’s sexual misconduct policy and procedures.
• The respondent will be afforded the same rights and opportunities as the complainant throughout the investigation and adjudication process.
• They will be given periodic status updates throughout the investigation and adjudication process.
• They may invite a student, faculty, union representative, or staff member from the college to accompany them at meetings regarding the investigation process.
• They will be informed in writing, concurrently of the finding issued by the designated officials, as well as the outcome of any appeal, to the extent permitted by the Code of Student Conduct.
• They will have the right to appeal the outcome based on the grounds designated in this policy, provided that they have participated in the investigation process.
• They may retain legal counsel at any time, although legal counsel is not permitted to participate in the college’s investigation and adjudication process.
Investigation
Upon receiving a Prohibited Conduct 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 his, her or their designee. 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 barring exigent circumstances. At the conclusion of the investigation the investigator shall set forth his, her or their findings and recommendations in writing.

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 the 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.

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.

Reporting to the College
LWTech encourages anyone who has experienced Prohibited Conduct (sex/gender discrimination, sexual harassment, sexual assault, sexual exploitation, dating/intimate partner violence, domestic violence, or stalking) to report the incident to the college so that the college can investigate and respond to such reports. An individual may provide a report to the college by contacting any of the following people:

- Title IX Coordinator: Meena Park, Executive Director, Human Resources
- Vice President for Student Affairs & Deputy Title IX Coordinator: Ruby Hayden, VP Student Services
- Campus Public Safety: Anthony Bowers, Director, Campus Public Safety
- Emergency Services: Kirkland Police Department
All Responsible Employees who witness or receive information regarding any Prohibited Conduct that occurs on campus, on any property owned or controlled by the college, or off campus (including online or electronic conduct occurring in the context of an employment or education program or activity of the college or has continuing adverse effect on campus) are required to promptly report all known details about the Prohibited Conduct to the Title IX Coordinator or Deputy Title IX Coordinator by telephone, email, in person, or through the College’s online Title IX Incident Report Form.

Reports are required to include, to the extent known:

1. Name of the alleged victim(s)
2. Name of the alleged perpetrator(s)
3. Name of any alleged witnesses
4. Any other relevant facts, including the date, time, and specific location of the alleged incident

All other individuals who become aware of an incident of Prohibited Conduct are highly encouraged to report all known details about the Prohibited Conduct to the Title IX Coordinator or Deputy Title IX Coordinator.

A Complainant may choose to make a report to the college to pursue resolution under these procedures and may also choose to make a report to law enforcement. A Complainant may pursue either or both options at the same time. A Complainant who wishes to pursue criminal action in addition to, or instead of, making a report under these Procedures should contact law enforcement directly.

The college may have an obligation to report to the police, keeping the name of the victim confidential, in circumstances where the incident includes an allegation that a crime has been committed.

**Responsible Employee**

Who is a “responsible employee”? The Office for Civil Rights (OCR) provides that a responsible employee is any employee:

a. Who has the authority to take action to redress sexual harassment/misconduct;
b. Who has been given the duty of reporting incidents of sexual harassment/misconduct or any other misconduct by students to the Title IX coordinator or other appropriate designee; or
c. Who a student reasonably believes has this authority or duty.
Interim Measures
Parties involved in allegations of Prohibited Conduct are entitled to receive written information, assistance and a broad range of support and remedial measures regardless of whether they choose to pursue a resolution of Prohibited Conduct. Remedial measures may include a change in academic or living situations, transportation, working situations, prohibiting contact with the Respondent, or medical and/or mental health services, including counseling. Remedial measures may be requested by contacting the Title IX Coordinator. The college will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the college to provide the accommodations or protective measures.

Expectations and Responsibilities
Through these Procedures, Complainants and Respondents can expect:

- Written notice of an investigation, including the potential Policy violation and nature of the alleged Prohibited Conduct;
- The opportunity to offer information, present evidence, and/or identify witnesses relevant to the determination of a Policy violation and any sanction(s) imposed;
- Timely notice of any meeting or proceeding contemplated by these Procedures where the party’s presence may be requested;
- The opportunity to have an advisor of choice, including the right to have that advisor attend any meetings or proceedings contemplated by these Procedures where the party’s presence may be requested;
- Timely and equal access to any information that will be used during Alternative or Formal Resolution proceedings and related meetings;
- A reasonable length of time to prepare any response contemplated by these Procedures;
- Prompt and equitable resolution under these Procedures;
- Written notice of any extension of time frames for good cause;
- Privacy in accordance with the Policy and any legal requirements;
- The opportunity to articulate concerns or issues about the process and to challenge the investigator for actual bias or conflict of interest;
- The opportunity to be heard, orally and/or in writing, as to the investigative finding, determination and any sanction(s) imposed;
- Written notice of the outcome, of any sanction(s), and the basis for each;
- Reasonably available interim remedial measures;
- Freedom from retaliation, harassment or intimidation;
- The responsibility to refrain from retaliation, harassment or intimidation; and,
- The responsibility to provide truthful information.
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 designee. Any person who believes he, she or they has/have 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 President or designee from taking immediate disciplinary action in accordance with LWTech policies and procedures, and federal, state, and municipal rules and regulations.

Prohibited Retaliation, Intimidation and Coercion Policy
Retaliation by, for or against any participant (including 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 is conduct subject to discipline. Any person who thinks he/she/they has/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 appropriate law enforcement authorities.

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:
US Dept. of Education Office for Civil Rights, www2.ed.gov/about/offices/list/ocr/

LWTech Law Enforcement Relationships and Jurisdiction
Under the direction of the Campus Public Safety Director, full time college staff, contracted security and police officers uphold applicable local, state, and federal laws and college policies and procedures on the Lake Washington Institute of Technology College campus. services include crime report investigations, medical emergency response, fire emergency response, personal safety escorts, traffic control and accidents, parking enforcement, and college policies including alcohol and drug use and abuse and weapons violations.

If assistance is required of local Police agencies, LWTech will make that contact. If a sexual assault or rape should occur, staff on scene, including and local Police, will offer a wide variety of services to assist the victim including privacy, medical response, mental health counseling, and contact of significant others, should the victim so require. Crimes should be reported to ensure the victim of appropriate services, to ensure inclusion in the annual crime statistics report, and to aid in providing timely warning notices to the community, when appropriate.
Security Technicians do not have arrest power; all criminal incidents are referred to local Police (Kirkland Police Department, Redmond Police Department, and King County Sheriff's Department who have jurisdiction on or adjacent to the Kirkland and Redmond campuses, respectively. The College has a written Memorandum of Understanding (MOU's) with the Kirkland Police Department. The purpose of the MOU is to meet the statutory requirements for institutions of higher education established by the Washington State legislature. It is further the purpose of the MOU to promote collaboration between the college and KPD to enhance the reporting, investigation, and appropriate response to sexual assault and other covered crimes. Lake Washington Institute of Technology urges anyone who is the victim or witness of any crime to promptly report the incident to or local Police. Because Police reports are public records under state law, LWTech cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to other Campus Public Safety Authorities. All crimes should be reported immediately. Please report any suspicious activity or person you may see loitering in any campus building, common area, or parking lot. In addition, reports may be made to any LWTech at (425) 739-8100.

LWTech Education and Prevention Related to Sexual Misconduct

LWTech provides education and prevention programs to:

- Students when first enrolled and on an ongoing basis throughout enrollment.
- Employees when first hired and on an ongoing basis throughout employment.

LWTech’s education and prevention programs reflect comprehensive and intentional strategies intended to end dating violence, domestic violence, sexual assault, and stalking. These programs include:

- Statements that LWTech prohibits Sexual Misconduct and the crimes of dating violence, domestic violence, sexual assault, and stalking;
- The definitions of dating violence, domestic violence, sexual assault, stalking, and consent;
- Primary and on-going prevention and awareness programs;
- Ongoing prevention and awareness campaigns;
- Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against a person other than that individual;
- Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and how to avoid potential attacks.

Primary Prevention and Awareness Programs

Primary prevention programs consist of programming, initiatives, policies, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors which foster healthy, mutually respectful relationships and sexuality, encourage responsible and safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.
Awareness programs consist of community-wide or audience-specific programming, initiatives, and strategies that increase knowledge and share information and resources to prevent violence, promote safety, reduce perpetration, and promote a healthy and responsible socialization. They also include contact information about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available both on-campus and in the community. To achieve the above goal, the college offers the following primary resources annually to students and employees to achieve our goal of prevention and awareness:

- Online training tailored specifically to students as well as version specific to employees that cover key components of the SaVE Act, Title IX, Harassment, and Ethics.

This also includes contact information about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available both on-campus and in the community.

**Ongoing Prevention and Awareness Campaigns**

Ongoing prevention and awareness campaigns consist of programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to, and skills for addressing, dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout LWTech.

LWTech’s provides the following ongoing prevention and awareness campaigns for students each year:

- 1-page flyer that all students receive each year at a Fall Kick-Off event and quarterly with Student Handbooks
- Sexual Assault Awareness Day during Sexual Assault Awareness Month-April
- Campus Clarity Awareness Program training – optional for students
- Continued student leadership training for all student employees

LWTech provides the following ongoing prevention and awareness campaigns for employees each year:

- Campus Clarity Awareness Program training – mandatory for employees’ yearly
- Sexual Assault Awareness Day during Sexual Assault Awareness moth – April

**Bystander Intervention**

Bystander intervention consists of safe, and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. It also includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

LWTech provides the following bystander intervention programs each year:

- Intervention Workshops
- Campus programming during the national sexual assault awareness week
- Printed resources available in student areas
- Printed resources available to new students during new student welcome and hosted orientations
Risk Reduction

Risk reduction consists of options designed to decrease perpetration and bystander inaction and to increase empowerment for victims to promote safety and responsibility and to help individuals, students, employees, and the college community address conditions that facilitate violence.

LWTech provides the following risk reduction programs for students each year:

- Provides standardized, required language in all course syllabi:
  - IF YOU SEE SOMETHING, SAY SOMETHING: In support of the college safety plan, the Campus Assessment Response and Evaluation (CARE) team uses collaboration, information collection, risk assessment, and intervention to create a safe campus community. Based upon report so student behavior, the CARE plans preventative strategies and interventions to assist students, faculty, and staff in supporting students who may be at risk.
  - Campus Security: Your safety and security are taken seriously at the college. The campus hires security personnel and off-duty police officers. All incidents of confirmed or suspected crimes are reported. If you require assistance or would like to report an incident, please call 425.739.8224.
  - Provide monthly PSA on DigiSigns regarding provision of security escorts.
  - Annual student leader training open to all LWTech student employees.

LWTech provides the following risk reduction programs for students and employees each year:

- Maintain a web presence accessible by all. Kirkland Police Department is invited daily to walk through campus and identify areas on campus where student safety could be a concern.

Procedure for Reports of Sexual Assault, Domestic Violence, Dating Violence, or Stalking

Written information provided to victims including:

- The preservation of evidence to assist in proving the alleged criminal offense or obtaining a protective order
- How and to whom an alleged offense will be reported
- Options for the involvement of law enforcement and campus authorities
- The victim’s rights and institution’s responsibilities for orders of protection
- All the services available to victims including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration services, etc.
- Options for, and available assistance in, changing academic, living, transportation, and working situations, regardless of whether the victim reports the crime to law enforcement or not
- Explanation of rights and options

Education and Prevention Programs

LWTech provides students with numerous prevention and education programs on sexual violence, intimate partner violence (often referred to as relationship or dating violence), domestic violence, and stalking. These programs include:
- Primary preventions and awareness programs;
- Ongoing prevention and awareness campaigns;
- Bystander intervention programs; and
- Risk reduction programs.

LWTech provides the following primary prevention and awareness programs each year

- **For Students**: Campus Clarity Student online training: SaVE Act, Title IX, FERPA, Harassment, Ethics, Clery Act, Mandated Reporter

- **For Employees**: Campus Clarity Employee online training: SaVE Act, Title IX, FERPA, Harassment, Ethics, Clery Act, Mandated Reporter

- **For Students and Employees**: Campus Clarity Student and Employee online training: SaVE Act, Title IX, FERPA, Harassment, Ethics, Clery Act, Mandated Reporter

**Initiation of Discipline**

**Policy Manual Reference 7.P.51**

**WAC 495D-121-340**

1. The student conduct officer initiates all disciplinary actions. If that officer is the subject of a complaint the respondent initiates, the president will, upon request and when feasible, designate another person to fulfill any such disciplinary responsibilities that relate to the complainant.

2. The student conduct officer initiates disciplinary action by personally informing the student of the allegations or serving the respondent with written notice directing him or her to attend a disciplinary meeting. The notice will briefly describe the:
   a. Factual allegations.
   b. Provisions(s) of the conduct code the respondent allegedly violated.
   c. Range of possible sanctions for the alleged violation(s).
   d. Time and location of the meeting.

At the meeting, the student conduct officer will present the allegations to the respondent and the respondent will be afforded an opportunity to explain what took place. If the respondent student fails or refuses to attend the meeting, the student conduct officer may take disciplinary action based upon the available information.

3. Within ten (10) calendar days of the initial disciplinary meeting, and after considering the evidence in the case, including any facts or argument presented by the responded, the student conduct officer will give the respondent a written decision that states:
   a. The facts and conclusions that supports the decision.
   b. The specific student conduct code provisions that were violated.
   c. The discipline imposed, if any.
   d. A notice of any appeal rights with an explanation of the consequences of not filing a timely appeal.

4. The student conduct officer may take any of the following disciplinary actions:
   a. Exonerate the respondent and terminate the proceedings.
   b. Impose a disciplinary sanction(s), as described in (WAC 495D-121-290)
   c. Refer the matter directly to the student conduct committee for such disciplinary action as the committee deems appropriate. The student conduct officer will make this referral in writing, to the attention of the student conduct committee’s chair with a copy served on the respondent.
5. Any college administrator or managing authority of a distance learning course, except the president and the vice president who would hear any appeal, may initiate proceedings and recommend taking any of the disciplinary actions defined in WAC 495D-121-600, except that only the president, a vice president, or designee may dismiss or suspend a student from the college. Before taking the action, the disciplining official will notify his or her supervisor and meet or attempt to meet with the student to explain the seriousness of the matter and hear any explanation by the student.

**Appeal from Disciplinary Action**


1. The respondent may appeal a disciplinary action by filing a written notice of appeal with the conduct review officer within twenty-one (21) days of service of the student conduct officer’s decision. Failure to timely file a notice of appeal constitutes a waiver of the right to appeal and the student conduct officer’s decision shall be deemed final.
2. The notice of appeal must include a brief statement explaining why the respondent is seeking review.
3. The parties to an appeal shall be the respondent and the conduct review officer.
4. A respondent, who timely appeals a disciplinary action or whose case is referred to the student conduct committee, has a right to a prompt, fair, and impartial hearing as provided for in these procedures.
5. On appeal, the college bears the burden of establishing the evidentiary facts underlying the imposition of a disciplinary sanction by a preponderance of the evidence.
6. Imposition of disciplinary action for violation of the student conduct code shall be stayed pending appeal, unless respondent has been summarily suspended.
7. The student conduct committee shall hear appeals from:
   a. the imposition of disciplinary suspensions in excess of ten (10) instructional days;
   b. dismissals; and
   c. discipline cases referred to the committee by the student conduct officer, the conduct review officer, or the president.
8. Student conduct appeals from the imposition of the following disciplinary sanctions shall be reviewed through a brief adjudicative proceeding:
   a. suspensions of ten instructional days or less;
   b. disciplinary probation;
   c. written reprimands; and
   d. any conditions or terms imposed in conjunction with one of the foregoing disciplinary actions.
9. Except as provided elsewhere in these rules, disciplinary warnings and dismissals of disciplinary actions are final action and are not subject to appeal.

**Procedure for Reports of Sexual Assault, Domestic Violence, Dating Violence or Stalking**

Written information provided to victims including:

- The preservation of evidence to assist in proving the alleged criminal offense or obtaining a protective order
- How and to whom an alleged offense will be reported
- Options for the involvement of law enforcement and campus authorities
- The victim’s rights and institution’s responsibilities for orders of protection
- All the services available to victims including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration services, etc.
- Options for, and available assistance in, changing academic, living, transportation, and working situations, regardless of whether the victim reports the crime to law enforcement or not
- Explanation of rights and options

**Standard of Evidence**

LWTech’s standard of evidence is “preponderance of the evidence,” i.e., “more likely than not to have occurred” standard. In other words, the conduct process asks: “is it more likely than not that the accused student violated the college’s Student Rights and Responsibilities Policy?”

**Lake Washington Institute of Technology Sexual Harassment Policy**

2.P.17

Sexual harassment is a violation of federal and state law and has the capacity to tarnish the academic and work environment of an educational institution. Sexual harassment in any form, by any member of the College community, including employees, agents, volunteers and representatives, students, and all other persons authorized to be present on the campus or to represent the College at any time or place, is therefore prohibited by Lake Washington Institute of Technology. While it is the responsibility of the College to publish and make known this policy to members of the College community, it is the responsibility of members to be familiar and comply with its provisions.

Sexual harassment can occur between members of the opposite sex or between members of the same sex, among College employees, among students, among other persons on campus, or between any of these persons. In some cases, sexual harassment may occur when a third party reasonably believes that a person in some position of authority gives or appears to give preferential treatment to another person in consideration of a romantic or sexual relationship.

It is a violation of College policy for any member of the College community to engage in sexual harassment. Furthermore, it is a violation of policy to retaliate against any individual or group of individuals who brings an allegation or files a complaint of sexual harassment, or who participates in any proceeding to determine if sexual harassment has occurred. Violations of these policies may result in disciplinary action up to and including dismissal from the College. Complaints of sexual harassment or violation(s) of these policies must be filed with the affirmative action officer or designee in accordance with policy 2.P.82 or 2.P.83.

Definitions:

1. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other oral or written communication or physical conduct of a sexual nature when:

   A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment or academic standing;
B. Submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting such individual; or
C. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance, or such conduct creates an intimidating, hostile or abusive work or academic environment.

2. Sexual harassment is further defined as conduct which places an objectionable emphasis on the sexuality or sexual identity of a person when:

A. The objectionable acts are directed toward person(s) of either sex;
B. The intent or effect of the objectionable act(s) is to limit or deny full and equal participation in employment or educational services, opportunities or benefits; or
C. The intent or effect of the objectionable act(s) is to create an intimidating, hostile or offensive academic or work environment for the member of either sex.

Sexual or Romantic Relationships with Students, Employees, or Members of the Campus Community

2.P.18

There is an inherent inequality in relationships between students and those College employees with a professional responsibility to teach, advise, counsel or otherwise facilitate students in their academic careers. Consequently, the ability of students to genuinely consent to the romantic or sexual advances of such College personnel must be considered questionable. Such relationships may also create an appearance of favoritism in the eyes of third parties which may contribute to the creation of a hostile educational environment.

There is a similar inherent inequality between supervisors and administrators and those College employees whom they supervise when the supervisor or administrator has the ability to affect the employees’ career advancement, pay, job assignments, or other terms and conditions of employment. Such relationships may also create the appearance of favoritism in the eyes of third parties and contribute to the creation of a hostile work environment.

Therefore, College employees are prohibited from engaging in any romantic or sexual relationship with or from making any overt romantic or sexual advances upon students whom they have professional responsibility to teach, advise, counsel or otherwise facilitate in their (the students’) academic careers. College employed administrators or supervisors at any level are prohibited from engaging in any romantic or sexual relationship with or from making any overt romantic or sexual advances upon any employee or member of the College community they supervise or the terms and conditions of whose employment or position at the College they have the ability to affect.

Complaints may be initiated by a student, employee or other member of the College community who is or has been in a romantic or sexual relationship or is or has been the subject of overt romantic or sexual advances, or by third parties who allege they have been specifically adversely affected by such a relationship.
The President may initiate formal proceedings on his or her own initiative. Any complainant who files a complaint under this policy in willful disregard of the truth may be subject to appropriate disciplinary proceedings.

Grievances and Appeals of College Actions
Students may appeal or grieve a college action (excluding grades and student conduct decisions) by filing a written notice of appeal with the appropriate vice president.

- Appeals must be filed with twenty-one (21) days of notice of the college action. Documented extenuating circumstances (such as medical complications or recall to military duty) may extend this timeframe.
- Failure to timely file a notice of appeal constitutes a waiver of the right to appeal and the college action shall be deemed final.
- The grievance shall be filed with the Vice President of Instruction regarding academic actions, with the Vice President of Administrative Services for administrative and business service issues, and with the Vice President of Student Services for other student matters.
- The notice of appeal must include a brief statement explaining why the student is seeking review of the action.
- The parties to an appeal shall be the student and the college employee who initiated the college action.
- A student who timely appeals a college action has a right to a prompt, fair, and impartial review of the matter.
- On appeal, the college bears the burden of establishing the evidentiary facts underlying the college action based on a preponderance of the evidence.
- From the date of receipt of the appeal, the vice president has ten (10) days to render a written decision to both parties. The brief written statement will minimally contain the reasons for the decision. This decision is final.
- This procedure does not apply to: Grade appeals and student conduct decisions.

Discipline Procedures for Cases Involving Allegations of Sexual Misconduct—Supplemental Sexual Misconduct Procedures
Policy Manual Reference 7.P.75 - WAC 495D-121-460

Both the respondent and the complainant in cases involving allegations of sexual misconduct shall be provided the same procedural rights to participate in student discipline matters, including the right to participate in the initial disciplinary decision-making process and to appeal any disciplinary decision.

Application of the following procedures is limited to student conduct code proceedings involving allegations of sexual misconduct by a student. In such cases, these procedures shall supplement the student disciplinary procedures in WAC 495-121-310 through -450. In the event of conflict between the sexual misconduct procedures and the student disciplinary procedures, the sexual misconduct procedures shall prevail.
Discipline Procedures for Cases Involving Allegations of Sexual Misconduct—Supplemental Definitions
Policy Manual Reference 7.P.77 - WAC 495D-121-470

The following supplemental definitions shall apply for purposes of student conduct code proceedings involving allegations of sexual misconduct by a student:

- A “complainant” is an alleged victim of sexual misconduct, as defined in subsection (2) of this section.
- “Sexual misconduct has the same meaning as the prohibited conduct set forth under this heading in WAC 495D-121-590 (18).

Discipline Procedures for Cases Involving Allegations of Sexual Misconduct—Supplemental Complaint Process
Policy Manual Reference 7.P.79 - WAC 495D-121-480

The following supplemental procedures shall apply with respect to complaints or other reports of alleged sexual misconduct by a student.

- The college’s Title IX compliance officer shall investigate complaints or other reports of alleged sexual misconduct by a student. Investigations will be completed in a timely manner and the results of the investigation shall be referred to the student conduct officer for disciplinary action.
- Informal dispute resolution shall not be used to resolve sexual misconduct complaints without written permission from both the complainant and the respondent. If the parties elect to mediate a dispute, either party shall be free to discontinue mediation at any time. In no event shall mediation be used to resolve complaints involving allegations of sexual violence.
- College personnel will honor requests to keep sexual misconduct complaints confidential to the extent this can be done without unreasonably risking the health, safety, and welfare of the complainant or other members of the college community or compromising the college’s duty to investigate and process sexual harassment and sexual violence complaints.
- The student conduct officer, prior to initiating disciplinary action, will make a reasonable effort to contact the complainant to discuss the results of the investigation and possible disciplinary sanctions and/or conditions (if any) that may be imposed upon the respondent if the allegations of sexual misconduct are found to have merit.
- The student conduct officer, on the same date that a disciplinary decision is served on the respondent, will serve a written notice informing the complainant whether the allegations of sexual misconduct were found to have merit and describing any disciplinary sanctions and/or conditions imposed upon the respondent for the complainant’s protection, including disciplinary suspension or dismissal of the respondent. The notice will also inform the complainant of his or her appeal rights. If protective sanctions and/or conditions are imposed, the student conduct officer shall make a reasonable effort to contact the complainant to ensure that prompt notice of the protective disciplinary sanctions and/or conditions.

Discipline Procedures for Cases Involving Allegations of Sexual Misconduct—Supplemental Appeal Rights
Policy Manual Reference 7.P.81 - WAC 495D-121-490

The following actions by the student conduct officer may be appealed by the complainant:

- The dismissal of a sexual misconduct complaint; or
- Any disciplinary sanction(s) and conditions imposed against a respondent for a sexual misconduct violation, including a disciplinary warning.
A complainant may appeal a disciplinary decision by filing a notice of appeal with the conduct review officer within twenty-one (21) days of service of the notice of the discipline decision provided for in WAC 495-121-340 (5). The notice of appeal may include a written statement setting forth the grounds of appeal. Failure to file a timely notice of appeal constitutes a waiver of this right and the disciplinary decision shall be deemed final.

If the respondent timely appeals a decision imposing discipline for a sexual misconduct violation, the college shall notify the complainant of the appeal and provide the complainant an opportunity to intervene as a party to the appeal.

Except as otherwise specified in this supplemental procedure, a complainant who timely appeals a disciplinary decision or who intervenes as a party to respondent’s appeal of a disciplinary decision shall be afforded the same procedural rights as are afforded the respondent.

An appeal by a complainant from the following disciplinary actions involving allegations of sexual misconduct against a student shall be handled as a brief adjudicative proceeding:
- exoneration and dismissal of the proceedings;
- a disciplinary warning;
- a written reprimand;
- disciplinary probation;
- suspensions of ten (10) instructional days or less; and/or
- any conditions or terms imposed in conjunction with one of the foregoing disciplinary actions.

An appeal by a complainant from disciplinary action imposing a suspension in excess of ten (10) instructional days or an expulsion shall be reviewed by the student conduct committee.

In proceedings before the student conduct committee, respondent and complainant shall have the right to be accompanied by a non-attorney assistant of their choosing during the appeal process. Complainant may choose to be represented at the hearing by an attorney at his or her own expense, but will be deemed to have waived that right unless, at least four (4) business days before the hearing, he or she files a written notice of the attorney's identity and participation with the committee chair, and with copies to the respondent and the student conduct officer.

In proceedings before the student conduct committee, complainant and respondent shall not directly question or cross examine one another. All questions shall be directed to the committee chair, who will act as an intermediary and pose questions on the parties’ behalf.

Student conduct hearings involving sexual misconduct allegations shall be closed to the public, unless respondent and complainant both waive this requirement in writing and request that the hearing be open to the public. Complainant, respondent and their respective non-attorney assistants and/or attorneys may attend portions of the hearing where argument, testimony and/or evidence are presented to the student conduct committee.

The chair of the student conduct committee, on the same date as the initial decision is served on the respondent, will serve a written notice upon complainant informing the complainant whether the allegations of sexual misconduct were found to have merit and describing any disciplinary sanctions and/or conditions imposed upon the respondent for the complainant’s protection, including suspension or dismissal of the respondent. The notice will also inform the complaint of his or her appeal rights.

Complainant may appeal the student conduct committee’s initial decision to the president subject to the same procedures and deadlines applicable to other parties.

The president, on the same date that the final decision is served upon the respondent, shall serve a written notice informing the complainant of the final decision. This notice shall inform the complainant whether the sexual misconduct allegation was found to have merit and describe any disciplinary sanctions and/or conditions imposed upon the respondent for the complainant’s protection, including suspension or dismissal of the respondent.
Prohibited Student Conduct
WAC 495D-121-590

The college may impose disciplinary sanctions against a student who commits, or aids, abets, incites, encourages, or assists another person to commit, an act(s) of misconduct, which include, but are not limited to the following:

1. Assault: Assault, physical abuse, verbal abuse, threat(s), intimidation, harassment, bullying, stalking or other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person or another person’s property. For the purpose of this paragraph:

   a) Bullying is physical or verbal abuse, repeated over time, and involving a power imbalance between the aggressor and victim.
   b) Stalking is intentional and repeated 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 an intent.
   c) Cyber Misconduct: Cyber-stalking, cyber-bullying or online harassment. Use of electronic communications, including, but not limited to, electronic mail, instant messaging, electronic bulletin boards, and social media sites, to harass, abuse, bully or engage in other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person. Prohibited activities include, but are not limited to, unauthorized monitoring of another’s email communications directly or through spyware, sending threatening emails, disrupting electronic communications with spam or by sending a computer virus, sending false messages to third parties using another’s email identity, non-consensual recording of sexual activity, and non-consensual distribution of a recording of sexual activity.
   d) Sexual Misconduct: The term “sexual misconduct” includes sexual harassment, sexual intimidation, and sexual violence.

      • Sexual Harassment. The term “sexual harassment” means unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature that is sufficiently serious as to deny or limit, and the does deny or limit, based on sex, the ability of a student to participate in or benefit from the college’s educational program or that creates an intimidating, hostile, or offensive environment for other campus community members.
      • Sexual Intimidation. The term “sexual intimidation” incorporates the definition of “sexual harassment” and means threatening or emotionally distressing conduct based on sex, including, but not limited to, nonconsensual recording of sexual activity or the distribution of such recording.
      • Sexual Violence. The term “sexual violence” incorporates the definition of “sexual harassment” and means a physical sexual act perpetrated without clear, knowing, and voluntary consent, such as
committing a sexual act against a person’s will, exceeding the scope of consent, or where the person is incapable of giving consent, including rape, sexual assault, sexual battery, sexual coercion, sexual exploitation, or gender – or sex-based stalking. The term further includes acts of dating or domestic violence. A person may be incapable of giving consent by reason of age, threat or intimidation, lack of opportunity to object, disability, drug or alcohol consumption, or other cause

e) Harassment: Unwelcome and offensive conduct, including verbal, nonverbal, or physical conduct, that is directed at a person because of such person’s protected status and that is sufficiently serious as to deny or limit, and that does deny or limit, the ability of a student to participate in or benefit from the college’s educational program or that creates an intimidating, hostile, or offensive environment for other campus community members. Protected status includes a person’s race; color; national origin, sensory, mental or physical disability; age (40+), religion; creed; genetic information; sexual orientation; gender identity; veteran’s status; or any other legally protected classification. See “Sexual Misconduct” for the definition of “sexual harassment.” Harassing conduct may include, but is not limited to, physical conduct, verbal written, social media and electronic communications.

**Disciplinary Sanctions**
Policy Manual Reference 7.P.101 WAC 495D-121-600

Disciplinary actions include, but are not limited to, the following sanctions that may be imposed upon students according to the procedure outlined in WAC 495D-121-340.

1. Primary Sanctions:

   - **Disciplinary Warning:** A verbal statement to a student that there is a violation and that continued violation may be cause for further disciplinary action.
   - **Written Reprimand:** Notice in writing that the student has violated one or more terms of this code of conduct and that continuation of the same or similar behavior may result in more severe disciplinary action.
   - **Disciplinary Probation:** Formal action placing specific conditions and restrictions upon the student's continued attendance depending upon the seriousness of the violation and which may include a deferred disciplinary sanction. If the student subject to a deferred disciplinary sanction is found in violation of any college rule during the time of disciplinary probation, the deferred disciplinary sanction, which may include, but is not limited to, a suspension or a dismissal from the college, shall take effect immediately without further review. Any such sanction shall be in addition to any sanction or conditions arising from the new violation. Probation may be for a limited period of time or may be for the duration of the student's attendance at the college.
   - **Disciplinary Suspension:** Dismissal from the college and from the student status for a stated period of time. There will be no refund of tuition or fees for the quarter in which the action is taken. The student is not guaranteed readmission at the end of such period of time, but is guaranteed a review of the case and a decision regarding eligibility for readmission.
• **Dismissal:** The revocation of all rights and privileges of membership in the college community and exclusion from the campus and college-owned or controlled facilities without any possibility of return. There will be no refund of tuition or fees for the quarter in which the action is taken.

2. Disciplinary terms and conditions that may be imposed in conjunction with the imposition of a disciplinary sanction include, but are not limited to, the following:

• **Restitution:** Reimbursement for damage to or misappropriation of property, or for injury to persons, or for reasonable costs incurred by the college in pursuing an investigation or disciplinary proceeding. This may take the form of monetary reimbursement, appropriate service, or other compensation.

• **Professional Evaluation:** Referral for drug, alcohol, psychological, or medical evaluation by an appropriately certified or licensed professional may be required. The student may choose the professional within the scope of practice and with the professional credentials as defined by the college. The student will sign all necessary releases to allow the college access to any such evaluation. The student’s return to college may be conditioned upon compliance with recommendations set forth in such a professional evaluation including but not limited to drug and alcohol education, anger management coursework, or ongoing treatment. If the evaluation indicates that the student is not capable of functioning within the college community, the student will remain suspended until future evaluation recommends that the student is capable of reentering the college and complying with the rules of conduct.

• **Not in Good Standing:** A student may be deemed “not in good standing” with the college. If so the student shall be subject to the following restrictions:
  o Ineligible to hold an office in any student organization recognized by the college or to hold any elected or appointed office of the college.
  o Ineligible to represent the college to anyone outside the college community in any way, including representing the college at any official function, or any forms of intercollegiate competition or representation.

• **No Contact Orders and Other Summary Relief:** The College may require a student to refrain from any form of contact with another student or college employee. Other forms or relief include, but are not limited to: switching to alternate sections of individual classes or programs, delaying admission to an instructional program, assigned seating during a class, or behavioral contracts.

3. Secondary Sanctions: No order of severity is established for secondary sanctions

• **Community/College Service:** A student may be offered an opportunity to complete a specified number of hours of Community/College Service in lieu of other sanctions. The type of Community/College Service must be approved by the hearing officer.

• **Educational Requirements:** A provision to complete a specific educational requirement directly related to the violation committed. The provision will be clearly defined. Such educational requirements may include, but are not limited to, completion of an alcohol education workshop, a diversity awareness workshop, an anger management class, essays, or reports.

• **Restrictions:** The withdrawal of specified privileges for a definite period of time, but without the additional stipulations contained in the imposition of conduct probation. The restrictions involved will be clearly defined.

• **Loss of Parking Privileges on Campus:** Revocation of parking privileges.
Sex Offender Registry & Access to Related Information

The federal Campus Sex Crimes Prevention Act, enacted Oct. 28, 2000, effective Oct. 28, 2002, requires institutions of higher education to issue statements advising the campus community where law enforcement agency information provided by a State about registered sex offenders may be obtained. A sex offender already required to register under state law must also register with the state the name of each institution of higher education at which the person is employed, carries on a vocation, or is a student. Washington state convicted sex offenders must register in accordance with: RCW 9A.44.130.

Registration of sex offenders and kidnapping offenders--Procedures--Definition--Penalties.

(1) Any adult or juvenile residing whether or not the person has a fixed residence, or who is a student, is employed, or carries on a vocation in this state who has been found to have committed or has been convicted of any sex offense or kidnapping offense, or who has been found not guilty by reason of insanity under chapter 10.77 RCW of committing any sex offense or kidnapping offense, shall register with the county sheriff for the county of the person’s residence, or if the person is not a resident of Washington, the county of the person’s school, or place of employment or vocation, or as otherwise specified in this section. Where a person required to register under this section is in custody of the state department of corrections, the state department of social and health services, a local division of youth services, or a local jail or juvenile detention facility as a result of a sex offense or kidnapping offense, the person shall also register at the time of release from custody with an official designated by the agency that has jurisdiction over the person. In addition, any such adult or juvenile who is admitted to a public or private institution of higher education shall, within ten days of enrolling or by the first business day after arriving at the institution, whichever is earlier, notify the sheriff for the county of the person’s residence of the person’s intent to attend the institution. Persons required to register under this section who are enrolled in a public or private institution of higher education on June 11, 1998, must notify the county sheriff immediately.

The sheriff shall notify the institution's department of public safety and shall provide that department with the same information provided to a county sheriff under subsection (3) of this section.

(2) This section may not be construed to confer any powers pursuant to RCW 4.24.500 upon the public safety department of any public or private institution of higher education.

(3)(a) The person shall provide the following information when registering: (i) Name; (ii) address; (iii) date and place of birth; (iv) place of employment; (v) crime for which convicted; (vi) date and place of conviction; (vii) aliases used; (viii) social security number; (ix) photograph; and (x) fingerprints.

(b) Any person who lacks a fixed residence shall provide the following information when registering: (i) Name; (ii) date and place of birth; (iii) place of employment; (iv) crime for which convicted; (v) date and place of conviction; (vi) aliases used; (vii) social security number; (viii) photograph; (ix) fingerprints; and (x) where he or she plans to stay.
For information about sex offenders in any county in the state of Washington, please contact the appropriate County Sheriff’s Department. For information about registered sex offenders living in or attending college in King County, contact: The King County Sheriff’s Office, Sex Offender Registration, 516 Third Avenue, Room W-150, Seattle, WA 98104-2312. Information provided by law enforcement agencies concerning registered sex offenders attending LWTech may be obtained from the Office of the Vice President of Student Services. Sex Offender Registration Information may also be obtained at the King County Sheriff’s Dept. website at: www.icrimewatch.net/index.php?AgencyID=54473

Information provided by law enforcement agencies concerning registered sex offenders attending LWTech may be obtained from the Office of the Vice President of Student Services.

**Sex Offenses- Forcible:** Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.

- **Forcible Rape:** The carnal knowledge of a person, forcibly and/or against the person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
- **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault with An Object:** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will; or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or, not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

**Sex Offenses- Nonforcible:** Unlawful, nonforcible sexual intercourse.

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

Sex Offenses definitions are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program (NIBRS)

**Off-Campus Criminal Activity**

Lake Washington Institute of Technology does not monitor off-campus criminal activity.
Anti-Terrorism Policy

Any act of terrorism on an LW Tech Campus will most assuredly have a negative impact on the psyches and the physical aspects of our every-day community life. Acts of terrorism include, but are not limited to chemical and biological threats, conventional and radiological explosive events, and nuclear blast events. While none of these situations are desirable, they are survivable. It should be noted here that in the event of a catastrophic terrorist event we may need to “shelter in place” for up to 72 hours to allow time for County, State, and Federal emergency officials to render aid. In the event of use of any weapon of mass destruction (WMD) on our campus, the Federal Bureau of Investigation (FBI) will have complete operational control of the situation. Upon transfer to the clean-up and recovery stage, the Federal Emergency Management Agency (FEMA) will assume operational control until the event is concluded and control is returned to LW Tech.

The essence of any effective response to terrorist attack is to remain calm and as clear-headed as possible; such situations call for the utmost in common sense. With that in mind, prepare to survive should you be faced with a catastrophic event.

Of the events listed above, it is important to note that only chemical, conventional explosive, and nuclear blast events are readily detectable; it is abundantly clear when these events take place. What may not be clear is the difference between a conventional and a radiological explosion as the external appearance is the same; a radiological explosion uses a conventional explosive event as a vehicle to disperse radiological agents (also known as a “dirty bomb”). Depending on the material used in a “dirty bomb,” the negative effects of radiation exposure may take hours or days to manifest themselves upon humans exposed to the event. The explosion itself is obvious; the unknown part is if it is a “conventional” or “dirty” event. It is best to treat conventional explosions as potential radiation threat.

The first responder to a terrorist act will:

- Call 911 (on campus 9-911) then Campus Public Safety at extension 8224 or 425-739-8224.
- Determine, if possible, the type of event at hand.
- Initiate the appropriate emergency response.
- Assist in establishing a quarantine perimeter.
- Assist responding police and fire personnel.

Contamination considerations preclude a first responder’s return to the general population until examined and released by health officials. Additional information may be obtained from the homeland security website to reach local, state, and federal agencies and other, valuable, anti-terrorism and emergency response information.

Hazing Policy

Hazing, including any method of initiation (on or off campus) into a student organization, living group, or team is prohibited. Hazing is defined as any activity that causes, or is likely to cause, bodily danger or physical harm; personal degradation or disgrace; or serious mental or emotional harm. For an individual or group to engage in or conspire to engage in any such activities are grounds for disciplinary action. If any club or organization engages in hazing, that group risks losing any and all College-related privileges. State law also provides that a person who participates in hazing of another shall forfeit any entitlement to state-funded grants, scholarships, or awards.
Activities that could be described as hazing include, but are not limited to:
- Compelled ingestion, forced consumption, or vomit-inducing exercises of alcohol, drugs, or foods
- Encouraging the rapid consumption of alcohol in a short period of time; drinking games
- Paddling, striking, or branding of an individual
- Causing an individual to be indecently exposed; total or substantial nudity
- Excessive exercise
- Sleep deprivation
- Activities which are physically burdensome or threaten the health of the individual
- Activities that expose personal values to compromise or ridicule
- Transportation and abandonment
- Confinement of an individual to an unreasonably small, unventilated, unsanitary, or unlighted areas
- Assignments of pranks to be performed
- Compelled personal servitude
- Any activities that interfere with academic pursuits or with normal life functions