



LWTech Education and Prevention Related to Sexual Misconduct

LWTech provides education and prevention programs to:

1. Students when first enrolled and on an ongoing basis throughout enrollment
2. 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:

1. Statements that LWTech prohibits Sexual Misconduct and the crimes of dating violence, domestic violence, sexual assault, and stalking;
2. The definitions of dating violence, domestic violence, sexual assault, stalking, and consent;
3. Primary and on-going prevention and awareness programs;
4. Ongoing prevention and awareness campaigns;
5. 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;
6. Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and:

Prohibited Sexual Misconduct

Students: Policy 7.P.99 Student Conduct Code—Prohibited Student Conduct (WAC 495D-121-590). Specifically 4, 6, 18, 19, and 20

Employees: Policy 2.P.17 Title IX Policy and Grievance Procedure—Discrimination and Harassment Definitions

Sexual Misconduct Definitions

Students: Policy 7.P.77 Discipline Procedures for Cases Involving Allegations of Sexual Misconduct – Supplemental Definitions

Employees: Policy 2.P.17 Title IX Policy and Grievance Procedure—Discrimination and Harassment Definitions

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.

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.

Bystander Intervention

Bystander intervention consists of safe, responsible, 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.

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.

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

1. Written information provided to victims including:
 - a. The preservation of evidence to assist in proving the alleged criminal offense or obtaining a protective order
 - b. How and to whom an alleged offense will be reported
 - c. Options for the involvement of law enforcement and campus authorities
 - d. The victim's rights and institution's responsibilities for orders of protection
 - e. All the services available to victims including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration services, etc.
 - f. 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
 - g. Explanation of rights and options

Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking

Students:

- 7.P.75** Student Conduct Code—Discipline Procedures for Cases Involving Allegations of Sexual Misconduct—Supplemental Sexual Misconduct Procedures (WAC 495D-121-460).
- 7.P.77** Student Conduct Code—Discipline Procedures for Cases Involving Allegations of Sexual Misconduct—Supplemental Definitions (WAC 495D-121-470).
- 7.P.79** Student Conduct Code—Discipline Procedures for Cases Involving Allegations of Sexual Misconduct—Supplemental Complaint Process (WAC 495D-121-480).
- 7.P.81** Student Conduct Code—Discipline Procedures for Cases Involving Allegations of Sexual Misconduct—Supplemental Appeal Rights (WAC 495D-121-490).

Employees:

- 2.P.17** Title IX Policy and Grievance Procedure – Discrimination and Harassment

Conflicts of Interest and Abuses of Power:

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 a 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

1. 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.
 - a. 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.
 - b. Failure to timely file a notice of appeal constitutes a waiver of the right to appeal and the college action shall be deemed final.
 - c. 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.
2. The notice of appeal must include a brief statement explaining why the student is seeking review of the action.
3. The parties to an appeal shall be the student and the college employee who initiated the college action.
4. A student who timely appeals a college action has a right to a prompt, fair, and impartial review of the matter.
5. On appeal, the college bears the burden of establishing the evidentiary facts underlying the college action based on a preponderance of the evidence.
6. 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.
7. This procedure does not apply to: Grade appeals or Student Conduct Decisions.

Limitation of Liability

The college's total liability for claims arising from a contractual relationship with the student in any way related to classes or programs shall be limited to the tuition and expenses paid by the student to the college for those classes or programs. In no event shall the college be liable for any special, indirect, incidental, or consequential damages, including but not limited to, loss of earnings or profits.