

2015

# Annual Crime Report & Clery Act Compliance Information



*Your Right to Know  
Safety at:*

Lake Washington Institute of  
Technology  
Campus Safety & Security  
Department

10/1/2015

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## 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: [www.lwtech.edu/security](http://www.lwtech.edu/security). The LWTech Office of Campus Public Safety is located in the first floor of the East Building, Room E-145.

## Annual Security Report (Clery)

Lake Washington Institute of Technology Policy Statement on Availability of the 2014 Annual Security Report:

The Lake Washington Institute of Technology (LWTech) 2015 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 and Redmond Campuses. 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.

The ASR is available at the Campus Public Safety Office, East Building, Room E-145, 11605 132<sup>nd</sup> 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 Safety Act of 1990, the Clery Act was the result of the efforts of Howard and Connie Clery to honor the death of their daughter, Jeanne, 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 in regard to on-going campus public safety issues. In 1997, Amendments to the Act were renamed in memory of Jeanne Clery.

All private and public institutions of post-secondary education participating in federal student aid programs are subject to provisions of this federal law. Colleges and Universities can be assessed “fines” up to \$35,000.00 by the U.S. Dept. of Education for violations of the Act’s provisions; in addition, institutions face a corresponding loss of federal student financial aid. Total “fine” for each violation: A \$55,000.00 net loss to the institution per violation. The U.S. Dept. of Education is the federal agency charged with investigating complaints of Clery Act violations and assesses “fines” or other enforcement actions.

## 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). The full text of the ASR can be located on our web site at [www.LWTech.edu/security](http://www.LWTech.edu/security) (Click on “Security”). This report is prepared in cooperation with the local law enforcement agencies surrounding the main LWTech Kirkland and Redmond Campuses, 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 [www.LWTech.edu/security](http://www.LWTech.edu/security) Required crime statistics are filed with the U.S. Department of Education in October of each calendar year (October 17, 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 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.

## 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, forcible 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 (Barbituates, 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 fir 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.

## 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 or Redmond Campuses 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

Redmond Police: 911 (on campus 9-911) or 425-556-2500

King County Sheriff’s Office: 911 (on campus 9-911) or 206-296-4190

All LWTech Incident Reports are forwarded to the Vice President of Student Services for review in regard to 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.

**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), check-book, 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.

- **NEVER** 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. Current staff consists of a Campus Public Safety Manager (un-armed), two Campus Public Safety Officers (un-armed), Contract Security, and contracted off-duty Kirkland Police Officers (armed). Campus Public Safety personnel are on duty from 6:30 am to 10:30 pm Monday through Friday, 7:00 am to 8:00 pm on Saturday, and closed on Sunday's.

Under the direction of the Campus Public Safety Manager, full time College staff and contracted Security and Police Officers 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 and Redmond Campuses, respectively. While the College has no written Memorandum of Understanding (MOU's) with the Kirkland, Redmond, or the King County Sheriff's Office, Campus Public Safety maintains a highly professional working relationship with these Agencies. 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. On-going training is afforded Campus Public Safety as well as contracted Officers. 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.

## 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  
Manager, Campus Public Safety

Dean of Students  
Dean of Gen. Ed.  
Dean of Technology  
Dean of Applied Design  
Associate Dean of Instruction

Director of Workforce Development  
Director of Business Development  
Director of eLearning  
Principal/Dean, High School Programs  
Director, Physical Therapist Assistant Program  
Associate Dean of TriO

Director of Nursing  
Director of Early Learning Center  
Interim Director Title III  
Director of International Programs  
Director of Facilities

## Safety Awareness and Crime Prevention

During orientation for each quarter, LWTech Campus Public Safety offers video and oral presentations on personal safety and personal property protection. Through informational Campus Public Safety seminars faculty, staff, and students are given information on personal safety and theft prevention, 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, 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.

## 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 Campus Public Safety Manager, 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 when a crime constitutes an ongoing threat to students and employees; it may be activated by the Campus PA system, E-mails, Text messages, 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.

## 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.

Appropriate provisions regulate the possession, use and sale of alcoholic beverages in Federal/State laws, [Chapter 495D of the Washington Administrative Code](#) (opens new window) 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](#) (opens new window).

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](#) (opens new window) may also apply to infractions of these laws.

**Drug and Alcohol Education Programs:** Drug and alcohol prevention and assistance is available to students through the Student Development Counselor located in the West Building, Room W207E.

Community Help-Line numbers for drug and alcohol abuse include:

- 24-hour Crisis Clinic: (206) 461-3222
- Drug and Alcohol Hot-Line: (206) 722-3700 or 1-800-562-1240
- Teen-Line: (206) 722-4222 or 1-800-562-1240

## Alcohol and Illegal Drugs

Faculty, staff, students, 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, West Building, 207. There are also several community Help-Line numbers:

- 24-hour Crisis Clinic: 206.461.3222
- Drug and Alcohol Hot-Line: 206.722.3700 or 1.800.562.1240
- Teen-Line: 206.722.4222 or 1.800.562.1240

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 \(13\)](#)

## Missing Student

This policy contains the official notification procedures of Lake Washington Institute of Technology for missing students. The purpose of this policy is to promote the safety and welfare of the LWTech community and assist in locating members of the LWTech community who, to the best of our knowledge, are missing. If a member of the LWTech community believes a student is missing, he or she should **immediately** notify Campus Public Safety at 425-739-8224 (East Building, Room E-145).

Once the determination is made by Campus Public Safety, a Missing Person Report (MPR) will be generated and LWTech will initiate an investigation and attempt to locate the missing person. If the missing person is under the age of 18 and not emancipated, LWTech will notify the custodial parent or guardian no later than 24 hours after that determination is made. Students have the option of identifying a confidential emergency contact person in place of their parents and registering that name with Campus Public Safety...

After having gone missing for 24 hours, Campus Public Safety will notify the Kirkland Police Department (KPD) and the student's emergency contact.

The LWTech Missing Person Procedure is as follows:

1. Report missing persons directly to Campus Public Safety; however, if another College student or employee takes the report, that person will immediately notify Campus Public Safety. Once a report is received, Campus Public Safety will obtain the missing person's photo ID, class schedule, and attempt to locate via a search of the missing person's vehicle (if on campus), checking into appropriate classes, and contacts with instructors, classmates, and other known friends.
2. No later than 24 hours after the person is determined to be missing, contact will be made with the missing person's parents or emergency contact. Local Law enforcement will be notified.
3. If Campus Public Safety, at any time after receiving the missing person report, finds indications of foul play, KPD will be notified immediately. Report missing persons to LWTech Campus Public Safety at East Building, Room E-145; call #8224 or 425-739-8224, or e-mail us at [security@LWTech.edu](mailto:security@LWTech.edu).

## 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 report 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 Harassment and Discrimination Policy and Grievance Procedures

Lake Washington Institute of Technology (LWTech) recognizes its responsibility for investigation, resolution, implementation of corrective measures, and monitoring of the educational environment and workplace to stop, remediate, and prevent all manners of discrimination. To this end, LWTech has enacted a Title IX Policy and Discrimination and Harassment Complaint Procedure statement prohibiting discrimination or harassment against any employee, student, applicant or visitor, and including legally defined members of a protected class. Any individual found to be in violation of this policy will be subject to disciplinary action up to and including dismissal from the College or from employment.

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 / EEO Coordinator identified below. If the complaint is against that Coordinator, the complainant should report the matter to the President's office for referral to an alternate designee.

- Executive Director of Human Resources  
Title IX / EEO Coordinator / Affirmative Action Officer / Ethics Officer  
Lake Washington Institute of Technology  
11605 132<sup>nd</sup> Avenue NE  
Kirkland, WA 98034  
Contact info: (425) 739-8251

The Title IX / EEO Coordinator or designee:

- Will accept all complaints and referrals from College or District employees, applicants, students, and visitors.
- Will make determinations regarding how to handle requests by complainants for confidentiality.
- Will keep accurate records of all complaints and referrals for the required time period.
- May conduct investigations or delegate and oversee investigations conducted by a designee.
- May impose interim remedial measures to protect parties during investigations of discrimination or harassment.
- Will issue written findings and recommendations upon completion of an investigation.
- May recommend specific corrective measures to stop, remediate, and prevent the recurrence of inappropriate conduct.

The College encourages the timely reporting of any incidents of discrimination or harassment. Long delays may be considered detrimental to the accuracy of the complaint. Complaints may be submitted in writing or orally. For complainants who wish to submit a written complaint, a formal complaint form is available online at:

[http://www.lwtech.edu/about\\_lwtech/equal\\_opportunity/default.aspx](http://www.lwtech.edu/about_lwtech/equal_opportunity/default.aspx)

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

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

## Definitions

**Complainant:** employee(s), applicant(s), student(s), or visitors(s) of LWTech who alleges that she, he or they /have been subjected to discrimination or harassment.

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

**Consent:** knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity.

- Each party has the responsibility to make certain that the other has consented before engaging in the activity.
- For consent to be valid, there must be at the time of the act of sexual intercourse or sexual contact actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact. **Prior consent does not apply.**
- A person cannot consent if he or she 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.

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

**Harassment:** a form of discrimination consisting of physical or verbal conduct that denigrates or shows hostility toward an individual because of their membership in a protected class or their perceived membership in a protected class. Harassment occurs when the conduct is sufficiently severe and/or pervasive and so objectively offensive that it has the effect of altering the terms or conditions of employment or substantially limiting the ability of a student to participate in or benefit from the College's educational and/or social programs. Petty slights, annoyances, offensive utterances, and isolated incidents (unless extremely serious) typically do not qualify as harassment. Examples of conduct that could rise to the level of discriminatory harassment include but are not limited to the following:

- Epithets, "jokes," ridicule, mockery or other offensive or derogatory conduct focused upon an individual's membership in a protected class.
- Verbal or physical threats of violence or physical contact directed towards an individual based upon their membership in a protected class.
- Making, posting, emailing, texting, or otherwise circulating demeaning or offensive pictures, cartoons, graffiti, notes or other materials that relate to race, ethnic origin, gender or any other protected class.

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

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

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



**Sexual Assault:** Includes any form of actual or attempted sexual activity perpetrated upon a person without that person's consent, including sexual behavior coerced through physical or verbal threats, force or other forms of manipulation and sexual behavior when one person cannot give consent due to incapacitation.

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

- **Hostile Environment Sexual Harassment** occurs when the conduct is sufficiently severe and/or pervasive and so objectively offensive that it has the effect of altering the terms or conditions of employment or substantially limiting the ability of a student to participate in or benefit from the College's educational and/or social programs. This would include a student or subordinate who offers sexual favors in exchange for preferential consideration.
- **Quid Pro Quo Sexual Harassment** occurs when an individual in a position of real or perceived authority, conditions the receipt of a benefit upon granting of sexual favors.

Examples of conduct that may qualify as sexual harassment include:

- Persistent comments or questions of a sexual nature.
  - A supervisor who gives an employee a raise in exchange for submitting to sexual advances.
  - An instructor who promises a student a better grade in exchange for sexual favors.
  - Sexually explicit statements, questions, jokes, or anecdotes.
  - Unwelcome touching, patting, hugging, kissing, or brushing against an individual's body.
  - Remarks of a sexual nature about an individual's clothing, body, or speculations about previous sexual experiences.
  - Persistent, unwanted attempts to change a professional relationship to an amorous relationship.
  - Direct or indirect propositions for sexual activity.
  - Unwelcome letters, emails, texts, telephone calls, receipt of unwanted verbal, written, or electronic communication, or other communications referring to or depicting sexual activities.
- **Sexual Violence** is a type of sexual discrimination and harassment. Nonconsensual sexual intercourse, nonconsensual sexual contact, domestic violence, dating violence, and stalking are all types of sexual violence.
  - **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.
  - **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.
  - **Domestic violence** includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law

- **Dating violence** means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.
- **Stalking** means intentional and repeated harassment or following of another person, or repeatedly emailing, texting, calling or use of other “cyber” venues to be “present” in another person’s life which places that person in reasonable fear that the perpetrator intends to injure, intimidate, or harass that person. Stalking also includes instances where the perpetrator knows or reasonably should know that the person is frightened, intimidated, or harassed, even if the perpetrator lacks such intent. Examples of stalking behavior include, but are not limited to,:
  - Following or conducting surveillance of the person being stalked
  - Inappropriate confrontations, communications or approaches between the stalker and the victim
  - Repeated, unsolicited and uninvited visits at the victim’s place of business or domicile
  - Receipt of unwanted communications, telephone calls, texts, or pages from the stalker to the victim
  - Threatening of the victim in any way by the stalker, either verbally or physically
  - Threatening any of the victim’s family or friends by the stalker
  - Receipt of any unwanted contact, including emails, texts, letters, or gifts from the stalker to the victim
  - Repeatedly sending unwanted messages, emails, or other communications to the victim by the stalker
  - Using online social media inappropriately to refer to or establish contact with the victim by the stalker
  - Any damage to the victim’s property by the stalker
  - Physical assault, however insignificant, to the victim by the stalker
  - Sexual assault or threats of such to the victim by the stalker
  - Assaulting or killing the victim’s pet by the stalker
  - Spreading false rumors or gossip about the victim by the stalker
  - Filing anything false against the victim by the stalker

**Bullying:** Workplace and/or Classroom bullying is defined as persistent, malicious, unwelcome, severe, and pervasive mistreatment that harms, intimidates, offends, degrades or humiliates an employee or student, whether verbal, physical or otherwise, including “cyber” bullying, in the course of employment, or pursuit of education. Any employee found in violation of this policy, will be disciplined, up to and including immediate termination. Any student found in violation of the Student Code of Conduct, as it relates to this policy, will be disciplined, up to and including, immediate expulsion from the college\*. Examples of bullying behavior include, but are not limited to:

- Being held to a different standard than the rest of an employee’s work group;
- Consistent ignoring or interrupting of an employee in front of co-workers;
- Personal attacks (angry outbursts, excessive profanity, or name-calling);

- Encouragement of others to turn against, marginalize, or ostracize the targeted employee;
- Use of email, internet, or other “cyber” venues to denigrate the targeted employee.

\*For more about student bullying, see the Student Conduct Code: WAC 495D-121-590.

**LWTech encourages all employees to report any instance of bullying behavior they have experienced or witnessed to their supervisor or the college HR Director.**

## Who May File a Complaint

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. For complainants who wish to submit a written complaint, a formal complaint form is available online at:

[http://www.lwtech.edu/about\\_lwtech/equal\\_opportunity/default.aspx](http://www.lwtech.edu/about_lwtech/equal_opportunity/default.aspx)

Hardcopies of the complaint form are available at the locations listed above in Section A. Any person submitting a discrimination complaint shall be provided with a written copy of the College’s anti-discrimination policies and procedures.

## Confidentiality And Right To Privacy

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. Determinations regarding how to handle requests for confidentiality will be made by the Title IX / EEO Coordinator. ***Although LWTech will attempt to honor complainants’ requests for confidentiality, it cannot guarantee complete confidentiality.***

### Confidentiality Requests and Sexual Violence Complaints.

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

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

If the College is unable to honor a complainant's request for confidentiality, the Title IX / EEO Coordinator will notify the complainant of the decision within 10 days and ensure that complainant's identity is disclosed only to the extent reasonably necessary to effectively conduct and complete the investigation.

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

## Investigation Procedure

Upon receiving a discrimination complaint, the College shall commence an impartial investigation. The Title IX / EEO Coordinator shall be responsible for overseeing all investigations. Investigations may be conducted by the Title IX / EEO Coordinator or his, her or their designee. If the investigation is assigned to someone other than the Title IX / EEO Coordinator, the Title IX / EEO Coordinator shall inform the complainant and respondent(s) of the appointment of an investigator as soon as possible.

## Rights and 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.
- They 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.

### Interim Measures

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

### Investigation

Complaints shall be thoroughly and impartially investigated. The investigation shall include, but is not limited to, interviewing the complainant and the respondent, relevant witnesses, and reviewing relevant documents. The investigation shall be concluded within a reasonable time, normally **sixty days** barring exigent circumstances. At the conclusion of the investigation the investigator shall set forth his, her or their findings and recommendations in writing. If the investigator is a designee, the investigator shall send a copy of the findings and recommendations to the Title IX / EEO Coordinator. The Title IX / EEO Coordinator shall consider the findings and recommendations and determine, based on a preponderance of the evidence, whether a violation of the

discrimination and harassment policy occurred, and if so, what steps will be taken to resolve the complaint, remedy the effects on any victim(s), and prevent its recurrence. Possible remedial steps may include, but are not limited to, referral for voluntary training/counseling, development of a remediation plan, limited contact orders, and referral and recommendation for formal disciplinary action. Referrals for disciplinary action will be consistent with the student conduct code or college employment policies and collective bargaining agreements.

#### **Written Notice of Decision.**

The Title IX / EEO Coordinator will provide each party and the appropriate student services administrator or appointing authority with written notice of 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. The complainant may be notified generally that the matter has been referred for disciplinary action. The respondent shall be informed in writing of the findings and of actions taken or recommended to resolve the complaint and shall be notified of referrals for disciplinary action. Both the complainant and the respondent are entitled to review any final findings, conclusions, and recommendations, subject to any FERPA confidentiality requirements and collective bargaining agreement requirements.

#### **Informal Dispute Resolution.**

Informal dispute resolution processes, like mediation, may be used to resolve complaints, when appropriate. Informal dispute resolution shall not be used to resolve sexual discrimination 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.

#### **Final Decision/Reconsideration.**

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

## Publication Of Anti-Discrimination Policies And Procedures

The policies and procedures regarding complaints of discrimination and harassment shall be published and distributed as determined by the president or 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.

## Non-Retaliation, Intimidation And Coercion

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:

[Washington State Human Rights Commission](http://www.hum.wa.gov), [www.hum.wa.gov](http://www.hum.wa.gov)

[US Dept of Education Office for Civil Rights](http://www2.ed.gov/about/offices/list/ocr/), [www2.ed.gov/about/offices/list/ocr/](http://www2.ed.gov/about/offices/list/ocr/)

[Equal Employment Opportunity Commission](http://www.eeoc.gov), [www.eeoc.gov](http://www.eeoc.gov)

## LWTEch Law Enforcement Relationships And Jurisdiction

Under the direction of the Campus Public Safety Manager, 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.

Officers do not have arrest power; all criminal incidents are referred to local Police (Kirkland Police Department, Redmond Police Department, King County Sheriff's Department, and/or Duvall-Carnation Police Department) who have jurisdiction on or adjacent to the Kirkland, Redmond, and Duvall Campuses, respectively. While the College has no written Memorandum of Understanding (MOU's) with the Kirkland, Redmond, or Duvall-Carnation Police Departments and the King County Sheriff's Office, LWTEch maintains a highly professional working relationship with these agencies.

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. LWTech's specific awareness programs are described in Appendix B to this Policy.

### 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 specific ongoing prevention and awareness campaigns are described in Appendix B to this Policy.

### 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

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 Primary Prevention and Awareness Programs

Primary prevention programs consist of programming, initiatives, 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 that foster healthy, mutually respectful relationships and sexuality, encourage 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 audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration. 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.



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

## LWTech Bystander Intervention Programs

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:

- **For Students:** Campus Clarity – Mandated Reporter Training, and Intervention Workshops
- **For Employees:** Campus Clarity – Mandated Reporter Training
- **For Students and Employees:** Campus Clarity – Mandated Reporter Training

## LWTech Ongoing Prevention and Awareness Campaigns

Ongoing prevention and awareness campaigns consist of programming, initiatives, policies, 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 and curriculum with audiences throughout LWTech.

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

- **For Students:** Campus Clarity Supplemental Awareness Program – THINK ABOUT IT: A platform for change, THINK ABOUT IT Posters, and THINK ABOUT IT Workshops
- **For Employees:** Campus Clarity Supplemental Awareness Program – THINK ABOUT IT: A platform for change, THINK ABOUT IT Posters, and THINK ABOUT IT Workshops
- **For Students and Employees:** Campus Clarity Supplemental Awareness Program – THINK ABOUT IT: A platform for change, THINK ABOUT IT Posters, and THINK ABOUT IT Workshops

## LWTech Risk Reduction Programs

Risk reduction consists of options designed to decrease perpetration and bystander inaction and to increase empowerment for victims to promote safety and to help individuals and communities address conditions that facilitate violence.

LWTech provides the following risk reduction programs each year:

- **For Students:** Campus Clarity – Campus Climate Survey Tool, Campus Clarity – Harm reduction/On-going Program, and Campus Clarity – Mental health and Alcohol Screening Tools
- **For Employees:** Campus Clarity – Campus Climate Survey Tool, and Campus Clarity – Harm reduction/On-going Program
- **For Students and Employees:** Campus Clarity – Campus Climate Survey Tool, and Campus Clarity – Harm reduction/On-going Program

## 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

## Procedures For Institutional Disciplinary Action

### 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** Sexual Harassment
- 2.P.18** Sexual or Romantic Relationships with Students, Employees, or Members of the Campus Community

## 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

### **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

### **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

### **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

### **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;
  - an 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 complainant 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.

## Disciplinary Sanctions

### 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.**

#### **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.
- **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:

- Ineligible to hold an office in any student organization recognized by the college or to hold any elected or appointed office of the college.
- 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.

## 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](http://www.icrimewatch.net/index.php?AgencyID=54473)

## SEXUAL ASSAULT REPORT FORM

Reporting Person: _____	Phone Number: _____
Sex Offense Classification (see definitions below): _____	Date of Incident: _____
Stranger or Acquaintance: _____	Location: _____
Was either the survivor or the assailant under the influence of alcohol or drugs (circle one): YES NO (or) UNKNOWN	
Briefly describe the incident: _____ _____	
<b>Check the appropriate answer to the following questions:</b>	
Did the crime occur on LWTech owned, controlled, or leased property? Yes: ____ No: ____	
Did the crime occur at an LWTech-sponsored activity or event? Yes: ____ No: ____	
Did the crime occur in a building or on the street? Building: _____ Street: _____	
Witness Names (If Known): _____	
Was Police/Emergency Medical Services Called? (Circle one): YES NO (or) UNKNOWN	



**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 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 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)

Completed forms need to be sent to:

Anthony T. Bowers, Manager, Campus Public Safety  
Lake Washington Institute of Technology  
Campus Public Safety East Building, Room E-145A  
11605 132<sup>nd</sup>. Avenue, NE Kirkland, WA 98034  
Phone: 425-739-8135

## Campus Access Policy

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 Student Services, College Services, 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.

## Physical Plant/ Property Safety

LWTech is committed to Campus safety, be it physical plant (buildings) or other College property (grounds, equipment, furniture, Motor Pool, etc.). LWTech Custodial Services, Maintenance, and Security personnel conduct routine Campus safety surveys; deficiencies are corrected by LWTech Facilities staff.

## 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 LWTech 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 LWTech.

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

## KIRKLAND CAMPUS CRIME STATISTICS: 2012-2014

CLERY OFFENSE	*On-Campus			**Non-Campus			***Public Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014
Murder/Non-Negligent Manslaughter	0	0	0	NA	NA	N/A	0	0	0
Negligent Manslaughter	0	0	0	NA	NA	N/A	0	0	0
Sex Offenses:									
Forcible Sex Offenses									
Non-Forcible Sex Offenses	0	0	0	N/A	N/A	N/A	0	0	0
	0	0	0	NA	NA	N/A	0	0	0
Robbery	0	0	0	NA	NA	N/A	1	0	0
Aggravated Assault	0	0	0	NA	NA	N/A	0	0	0
Burglary	0	1	0	NA	NA	N/A	1	1	0
Motor Vehicle Theft	1	0	0	NA	NA	N/A	1	1	0
Arson	0	0	0	NA	NA	N/A	0	0	0
Liquor Law Violations	0	0	0	NA	NA	N/A	0	0	0
Drug Law Violations	1	3	3	NA	NA	N/A	1	1	0
Illegal Weapons Violations	1	0	0	NA	NA	N/A	0	0	0
Hate Crimes:									
Race									
Gender	0	0	0	NA	NA	N/A	0	0	0
Religion	0	0	0	NA	NA	N/A	0	0	0
Sexual orientation									
Ethnicity/national origin	0	0	0	NA	NA	N/A	0	0	0
Disability	0	0	0	NA	NA	N/A	0	0	0
	0	0	0	NA	NA	N/A	0	0	0
	0	0	0	NA	NA	N/A	0	0	0
Domestic Violence	N/A	0	1	N/A	N/A	N/A	N/A	0	0
Dating Violence	N/A	0	1	N/A	N/A	N/A	N/A	0	0
Stalking	N/A	0	0	N/A	N/A	N/A	N/A	0	0

## REDMOND CAMPUS CRIME STATISTICS: 2012-2014

CLERY OFFENSE									
	*On-Campus			**Non-Campus			***Public Property		
	2012	2013	2014	2012	2013	2014	2012	2013	2014
Murder/non-negligent manslaughter	0	0	0	NA	NA	N/A	0	0	0
Negligent manslaughter	0	0	0	NA	NA	N/A	0	0	0
Sex Offenses									
Forcible Sex Offenses	0	0	0	N/A	N/A	N/A	0	0	0
Non-Forcible Sex Offenses	0	0	0	N/A	N/A	N/A	0	0	
Robbery	0	0	0	NA	NA	N/A	0	0	0
Aggravated Assault	0	0	0	NA	NA	N/A	0	0	0
Burglary	0	0	0	NA	NA	N/A	0	0	0
Motor vehicle theft	0	0	0	NA	NA	N/A	0	0	0
Arson	0	0	0	NA	NA	N/A	0	0	0
Liquor law violations	0	0	0	NA	NA	N/A	0	0	0
Drug law violations	0	0	0	NA	NA	N/A	0	0	0
Illegal Weapons Violations	0	0	0	NA	NA	N/A	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action									
Hate crimes:									
Race	0	0	0	NA	NA	N/A	0	0	0
Gender	0	0	0	NA	NA	N/A	0	0	0
Religion	0	0	0	NA	NA	N/A	0	0	0
Sexual Orientation	0	0	0	NA	NA	N/A	0	0	0
Ethnicity/national origin	0	0	0	NA	NA	N/A	0	0	0
Disability	0	0	0	NA	NA	N/A	0	0	0
Domestic Violence	N/A	0	0	N/A	N/A	N/A	N/A	0	0
Dating Violence	N/A	0	0	N/A	N/A	N/A	N/A	0	0
Stalking	N/A	0	0	N/A	N/A	N/A	N/A	0	0