

ANNUAL SECURITY REPORT

2017



COLUMBIA BASIN
COLLEGE

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Annual Security Report

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CBC Annual Security Report

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Introduction

Columbia Basin College is genuinely concerned about the welfare of its students, staff and those visiting the CBC campuses. CBC has established crime prevention, response, and reporting programs that are reasonable and appropriate for our environment and we continually assess and refine them. This Annual Security Report (“the Report”) complies with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, the Uniform Crime Reporting Act, as well as the Violence Against Women Reauthorization Act. Its purpose is to make public all reported campus crime for the previous three years, as well as Campus Security policy statements. The crime statistics in the Report include those reported to Campus Security, designated campus officials, campus security authorities, as well as local law enforcement agencies. All crimes occurring on any property owned or controlled by the College are included, as well as crimes occurring on certain public property that is immediately adjacent to and accessible from the campuses.

Each member of the CBC community receives an email announcement that describes the Report, along with a specific web address to access the Report. Information about the Annual Security Report is also distributed using social media, campus reader boards, television monitors located in various buildings, and in welcome information to new students. All prospective employees may obtain a copy from the Human Resources Office by calling (509) 542-4740 or by accessing the Report at the website address located on CBC’s application page. CBC encourages members of the campus community to use the Report as a guide for safe practices on and off campus and to cultivate a culture of reporting campus crimes.

Paper copies of the Report may be requested by contacting the CBC Security Department at (509) 542-4819 or e-mailing a request to mhahn@columbiabasin.edu. Statistics for 2016 can be found within the Report, along with campus maps showing CBC reportable areas. The Report is reviewed annually and updated statistics are provided prior to October 1 of each year.

Authority and Jurisdiction of the CBC Security Department

CBC Security Staff works to ensure a safe and orderly environment in which members of the College community can pursue their educational and career goals. The principle responsibilities of the CBC Security Staff include ensuring student, staff, and public safety; preventing crime; emergency response; providing information; enforcing parking and traffic regulations; lending assistance; and maximizing efforts to preserve a safe environment for the College community.

CBC Security Staff are trained and certified in defensive tactics and issued equipment such as tasers, pepper spray, and handcuffs for use under the College’s Force Continuum/Use of Force Policy. The Security Staff’s use of defensive tactics or equipment under this Policy is only appropriate where the security officer believes the action is in defense of another, including the security officer and the aggressor, from a potential or actual physically violent situation and to effectively bring the situation under control pending a response from local law enforcement. The degree of force which may be employed will be determined by the circumstances such as the nature of the offense, actions of any third parties, feasibility or availability of alternative actions, whether the aggressor is armed, presence of other security officers to assist, etc. The Policy is located at: <http://www.columbiabasin.edu/modules/showdocument.aspx?documentid=3883>.

CBC Security Staff are not commissioned officers and have citizen arrest powers only, but are highly trained to respond, stabilize and assist law enforcement when the need arises. Security officers have the authority to ask individuals to provide identification for safety reasons. Students

who fail to provide identification can be subject to a student code violation. Non-students and visitors demonstrating disruptive or inappropriate behaviors may be asked to leave campus and given a trespass warning or order depending on the circumstances.

Any issues related to security can be brought to the attention of Levi Glatt, Campus Security & Safety Supervisor at (509) 542-4819 or (509) 531-4034.

The College has a partnership agreement with law enforcement agencies for emergency response assistance. Sworn police officers from the following law enforcement agencies have arrest powers at their respective locations:

- Pasco Campus – Pasco Police Department; Franklin County Sheriff’s Department
- Richland Campus – Richland Police Department; Benton County Sheriff’s Department

CBC campuses may employ off-duty police officers to support events or operations when deemed appropriate.

Location of Security Office and Staff

The CBC Security Office is located in the V Building on the Pasco campus. The Chase Building in Pasco does not have security officers regularly assigned to its location, though security officers from the Pasco campus can be deployed for non-emergency security related matters. Contact telephone numbers are: (509) 542-4777 and (509) 542-4819.

At the Richland campus, there is at least one security officer posted at the Health Sciences Building entryway, who also regularly patrols the building parking lot. Another CBC staff member assists and patrols the Richland Old Campus building, which is a CBC campus building.

Access to Campus Facilities

CBC buildings and facilities are generally open during posted hours of operation. Outside of the posted hours of operation, buildings are secured and only persons assigned exterior door keys, electronic access cards and FOBs are allowed to enter or remain. The use of CBC buildings and facilities outside of the posted hours of operation is scheduled through the Vice President of Administrative Services’ Office.

CBC Security Department conducts periodic checks of the campus grounds and leased buildings to ensure they are safely maintained. Maps of the campuses and buildings are accessible at <http://www.columbiabasin.edu/index.aspx?page=184>. CBC reserves the right to modify its hours of operation schedule or access to any building based on security concerns and/or campus needs. Building hours may differ during quarter breaks and summer quarter. Buildings remain locked during campus holidays, except for publicized events such as MLK Jr. Day, Veterans’ Day, etc., and other campus closures.

CBC leases space in some campus buildings, including spaces within the Thornton Building and Chase Building on the Pasco campus, and the 4th Floor of the Health Sciences Building on the Richland Campus. The leased spaces have limited access to the public and hours of operation may vary from the College’s hours of operation.

CBC has no resident facilities or recognized off-campus student organizations, such as Greek life, sororities or other residential entities, so no resident facilities are monitored by the CBC Security

Department. Beginning in September 2017 Columbia Basin College opened a new Sunhawk Residence Hall (“Hall”) across the street from the CBC campus with a Residence Life program. The Hall will house 125 students in a three-story, 27,000 square foot complex. Information can be located at: <http://housing.columbiabasin.edu/>.

Columbia Basin College Crime Statistics

CBC crime statistics include the occurrence of the following criminal offenses reported to the CBC Security Department, campus security authorities or to local law enforcement agencies that occurred on campus, in or on non-campus buildings or property including streets, sidewalks, and parking lots within the campus or immediately adjacent to and accessible from the campus:

Clery Act Reportable Crimes

- Homicide and Non-negligent Manslaughter
- Negligent Manslaughter
- Sexual Assault
- Domestic Violence
- Dating Violence
- Stalking
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Hate Crimes
- Liquor–disciplinary/arrest
- Drug–disciplinary/arrest
- Illegal Weapons–disciplinary/arrest
- Unfounded Reports of the above Crimes

Hierarchy Rule

When examining incidents to determine if they should be included in the Report, a portion of the Clery Act called the Hierarchy Rule is analyzed. Occasionally, a person who is arrested may have committed more than a single offense. The Hierarchy Rule requires in this situation that the College count the offense which is the most serious in nature and not count the offense of lesser significance. For example, if a person committed a burglary and a murder in the course of a single act then only the murder would be counted. An exception to this rule exists for hate crimes. If a person commits a hate crime, then both crimes are counted.

Excluded Crimes

In some cases an incident that is reported as a crime may not be included in the Report. All of the following five standards must be met for an incident to be included in the annual report.

1. **Reported to the Proper Authorities** - Incidents must be reported to law enforcement, Campus Security, or a person who, according to the Clery Act, is defined as a Campus Security Authority (See below).
2. **Listed Crimes** - The crime must be one of those listed in the Clery Act as a reportable crime

(See list above).

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

See Appendix:

1. Pasco Campus Map
2. Richland Campus Map
3. Chase Complex

4. **Made in Good Faith** – For an incident to be included there must be a determination that the report is made in good faith. Supporting evidence makes this determination easy, but such evidence is not always available. In such a case, the creditability of the person making the report is considered. When the incident is reported to the College through a law enforcement agency, we assume that this determination has already been made.
5. **Unfounded** – If law enforcement determines that a particular reported incident could not have occurred or did not occur, i.e., a false report, the crime is not included in the Report. Only law enforcement can rule a case “unfounded.”

Pasco Campus 2016 Clery Act Crime Statistics

Columbia Basin College - Pasco Campus						
2016 Clery Act Crime Statistics						
Offense	On Campus			Off Campus		
	2014	2015	2016	2014	2015	2016
Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Weapons Offenses; Arrests ; carrying, possessing, etc.	0	0	0	0	0	0
Weapons Offenses: Disciplinary Referrals	0	0	0	0	0	0
Drug Offenses: Arrests	2	0	8	0	0	0
Drug Offenses: Disciplinary Referrals	1	0	11*	0	0	0
Alcohol Offenses: Arrests	0	0	0	0	0	0
Alcohol Offenses: Disciplinary Referrals	0	0	1	0	0	0
Hate Crimes	0	0	0	0	0	0
Violence against Women - Domestic violence	0	0	0	0	0	0
Violence against Women - Dating violence	0	0	0	0	0	0
Violence against Women - Stalking	0	0	0	0	0	0
Unfounded reports			0			0

*These numbers were revised after reexamining the reported drug violations, which resulted in student conduct referrals that were in violation of Washington State law.

If any crime shows evidence of being hate-related, the incident will be categorized as such. A hate crime is defined as an incident where the victim is intentionally selected because of the victim's actual or perceived race, national origin, gender, gender identity, religion, sexual orientation, ethnicity, or disability. Hate crimes include murder negligent manslaughter, robbery, aggravated assault, burglary, auto theft, arson, intimidation, simple assault, and vandalism or destruction of property.

Richland Campus 2016 Clery Act Crime Statistics

Columbia Basin College - Richland Campus						
2016 Clery Act Crime Statistics						
Offense	On Campus			Off Campus		
	2014	2015	2016	2014	2015	2016
Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Weapons Offenses; Arrests ; carrying, possessing, etc.	0	1	0	0	0	0
Weapons Offenses: Disciplinary Referrals	0	0	0	0	0	0
Drug Offenses: Arrests	0	0	0	0	0	0
Drug Offenses: Disciplinary Referrals	0	0	0	0	0	0
Alcohol Offenses: Arrests	1	0	0	0	0	0
Alcohol Offenses: Disciplinary Referrals	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0
Violence against Women - Domestic violence	0	0	0	0	0	0
Violence against Women - Dating violence	0	0	0	0	0	0
Violence against Women - Stalking	0	0	0	0	0	0
Unfounded reports			0			0

*If any crime shows evidence of being hate-related, the incident will be categorized as such. A hate crime is defined as an incident where the victim is intentionally selected because of the victim's actual or perceived race, national origin, gender, gender identity, religion, sexual orientation, ethnicity, or disability. Hate crimes include murder negligent manslaughter, robbery, aggravated assault, burglary, auto theft, arson, intimidation, simple assault, and vandalism or destruction of property.

Chase Complex 2016 Clery Act Crime Statistics

Columbia Basin College - Chase Campus						
2016 Clery Act Crime Statistics						
Offense	On Campus			Off Campus		
	2014	2015	2016	2014	2015	2016
Murder/ Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Weapons Offenses; Arrests ; carrying, possessing, etc.	0	0	0	0	0	0
Weapons Offenses: Disciplinary Referrals	0	0	0	0	0	0
Drug Offenses: Arrests	0	0	0	0	0	0
Drug Offenses: Disciplinary Referrals	0	0	0	0	0	0
Alcohol Offenses: Arrests	0	0	0	0	0	0
Alcohol Offenses: Disciplinary Referrals	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0
Violence against Women - Domestic violence	0	0	0	0	0	0
Violence against Women - Dating violence	0	0	0	0	0	0
Violence against Women - Stalking	0	0	0	0	0	0
Unfounded reports			0			0

*If any crime shows evidence of being hate-related, the incident will be categorized as such. A hate crime is defined as an incident where the victim is intentionally selected because of the victim's actual or perceived race, national origin, gender, gender identity, religion, sexual orientation, ethnicity, or disability. Hate crimes include murder negligent manslaughter, robbery, aggravated assault, burglary, auto theft, arson, intimidation, simple assault, and vandalism or destruction of property.

Crime Statistics, Reporting and Prevention Frequently Asked Questions

Where can I find CBC's crime statistics?

Crime statistic charts for Pasco and Richland campuses are created annually for federal reporting purposes and made available to staff, students, and the community on the Campus Security website at www.columbiabasin.edu. Paper copies of this Report can be requested by calling (509) 542-4819 or e-mailing a request to mhahn@columbiabasin.edu.

How does CBC gather Clery Act crime statistics?

The CBC Security Department collects reportable crime statistics as outlined in the 1990 Jeanne Clery Act from a variety of sources on and off campus. Resources used in gathering campus crime, arrest and referral statistics include, but are not limited to, Campus Security, designated campus officials, campus security authorities, as well as local law enforcement agencies. Consistent with federal law, these statistics may also include crimes that have occurred both on and off campus. Beginning in September 2017, Columbia Basin College opened a new Hall across the street from the CBC campus. The first phase of the Hall will house 125 students in a three-story, 27,000 square foot complex. Information can be located at: <http://housing.columbiabasin.edu/>. Student Residence Life administrative staff will be responsible for gathering crime statistics for future reporting.

Campus Security maintains a daily crime log that lists all crimes and other incidents reported to the CBC Security Department and local law enforcement. The daily crime log lists the type of offense, date, case number, general location and disposition of complaint, if known. The log can be accessed by contacting the CBC Security Department by calling (509) 542-4819 or e-mailing a request to mhahn@columbiabasin.edu. CBC reserves the right to exclude crime report information from the log in circumstances that may compromise an ongoing investigation or where primary rights or law protects from release.

How can I report a crime or criminal report to CBC?

For emergencies and crimes in progress on any campus, calls should be made initially to local law enforcement by calling 911. All students, faculty, staff and guests of CBC are also encouraged to report emergencies and criminal activity, as well as suspicious persons, disruptive behavior and accidents or issues not necessitating local law enforcement by calling Campus Security at extension 2819 from a campus phone, or direct dial at (509) 542-4819. This and other reporting may be made in person by visiting one of the CBC Security Offices on the campuses (Pasco - V Building/H Building, Richland – Lobby of Health Sciences Building) or approaching campus security on duty throughout campus.

There is one blue light emergency call box located at the north end of the Pasco campus and one on the rear side of the CTE Building that can be used to summon help for emergency situations. Calling 911 from a campus phone will activate a notification to Campus Security as well. In response to the notification, CBC security officers will assist and draft an incident report with copies provided to appropriate campus authorities, such as CBC Human Resources and Student Conduct Officer, and/or law enforcement agencies as appropriate. CBC community members that do not have access to a CBC phone at the time of an emergency and use their own cell phone to dial 911, are requested to also report the incident to Campus Security.

Who are CBC Campus Security Authorities?

A campus security authority¹ is described as 1) an individual who has responsibility for campus security, 2) an individual identified by the College as an individual to which students should report criminal offenses, and 3) an official of the College who has significant responsibility for student and campus activities, including but not limited to student discipline and campus judicial proceedings.

Although CBC encourages the reporting of campus criminal activity directly to the CBC Security Department, in some circumstances individuals may choose to report to other campus officials who in turn are required to immediately notify Campus Security of any crime reported to them. For CBC, Campus Security Authorities are:

- Vice President for Student Services
- Vice President for Administrative Services
- Vice President for Human Resources & Legal Affairs
- Associate Vice President for Instruction of Professional Technical Education & Instructional Services
- Associate Vice President for Instruction of Arts, Sciences and Program Development
- Deans of Instructional Divisions
- Associate Dean for Student Retention & Completion
- Athletic Director, Assistant Athletic Director, and Athletic Coaches
- Director for Student Records & Registrar
- Resource Center Director
- ASCBC Director and Assistant Director
- Director for Resident Life
- Adviser for any student club or registered student organization on campus

How can I make an anonymous report to CBC?

The CBC Security Department encourages anyone who is a victim or witness to any crime to promptly report the incident as described above. Because these reports are public records under state law, the CBC Security Department may not be allowed by law to withhold reports, in part or as a whole. Any request is reviewed to determine ability to release.

Victims of a crime not wanting to pursue action within the College system or the criminal justice system may still want to consider making an anonymous report. Anonymous reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made as described below.

¹ As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092(f), clarification was given to those considered to be campus security authorities. Campus “pastoral counselors” and Campus “professional counselors,” when acting as such are not considered to be a campus security authority and are not required to report crimes for inclusion into the Report. CBC does not have pastoral counselors, but faculty counselors are considered to be professional counselors. CBC’s faculty counselors are encouraged, if and when they deem appropriate, to inform persons being counseled on the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

- The Counseling Center provides limited confidential counseling services. These services by faculty counselors include providing information on how to file an official report for investigation. They are not required to report crimes for inclusion in the Annual Security Report unless there is a threat to the safety of the individual or others. However, CBC encourages the faculty counselors to inform recipients of their services and how to provide anonymous reports.
- CBC has an online reporting tool called “A Safer CBC.” A Safer CBC is a secure way to report non-emergency safety issues. Reporters have the choice to remain anonymous or to reveal their identity. Once submitted, only appropriate campus personnel will have access to the report. Evaluation of reported safety issues are performed on a timely basis.

How can a report of child abuse or neglect be made?

All faculty, staff, administrators, and members of the CBC Security Department who may come into contact with children through any College sponsored program, activity, camp, conference, retreat, academic presentation or any other College programs are required to report incidents of child abuse when they have witnessed and/or have reasonable cause to suspect that a child (under 18 years old) under the care, supervision, guidance, or training of any adult on our campus is being or has been abused. An employee who becomes aware of child abuse or neglect has a reporting responsibility per RCW 26B.10.846 and CBC Policy, which can be found at <http://www.columbiabasin.edu/modules/showdocument.aspx?documentid=1804>.

The following procedure is appropriate per the College’s Policy:

- Report the matter to local law enforcement and/or the Department of Social & Health Services at (509) 737-2800. The Vice President for Human Resources & Legal Affairs will assist employees in reporting to these agencies when requested.
- Any person who makes a good faith report of child abuse may not be subjected to retaliation in employment and by law is immune from legal liability.

How does CBC Campus Security follow-up on reported crime on campus?

When a crime is reported, the responding security officer investigates the alleged crime. The investigating officer determines if outside law enforcement is required. Matters that may require follow-up are managed through the Campus Security & Safety Supervisor, who reviews incident reports and disseminates the reports to all administrative authorities affected by the incident.

Matters requiring an investigation for potential student discipline are handled in a confidential manner in compliance with the Family Education Rights and Privacy Act (FERPA), Chapter 132S-100 WAC and as stated in CBC’s Student Code of Conduct located at www.columbiabasin.edu/index.aspx?page=867. There are circumstances when federal and state requirements do not allow for full confidentiality.

How does CBC educate the campus community about crime prevention, safety and security?

CBC takes a proactive approach to crime on campus by offering information to students and staff through crime awareness programs, such as rape prevention and personal protection, offered

throughout the year by the CBC Security Department. During in-service every year employees are given the opportunity to watch an active shooter training. Beginning in September 2017 Columbia Basin College opened a new Hall across the street from the CBC campus. The Hall will house 125 students in a three-story, 27,000 square foot complex. Information can be located at: <http://housing.columbiabasin.edu/>. Student Residence Life administrative staff will be responsible each fall to ensure students living in the Hall watch a video that includes the following topics related to sexual harassment:

- Resources and information
- Clery Act
- Annual Security Report
- Crime Statistics
- Violence Against Women Act
- Title IX
- Other resources, training and information

During new resident orientations, students will be given instructions referenced in the Residential Living Handbook (the “Handbook”) regarding Hall safety and security procedures. Residence Life students will be instructed on the importance of locking rooms, not sharing keys, and not allowing anyone except guests into the Hall. A detailed list of items and activities that will be prohibited at the Hall can be found in the Handbook. During new student orientations, evacuation procedures for campus will be referenced and discussed.

Recent incidents of violence on college campuses have compelled many institutions to designate a group of faculty and staff to monitor student behavior and intervene sooner than previously thought necessary. Some behavior is of concern but perhaps does not yet rise to the level of a disciplinary or safety infraction. CBC’s designated group to address such concerns is called CBC CARE Team. CBC faculty and staff can report concerns directly to CBC’s CARE Team located in the Counseling department.

Campus Security also distributes detailed Emergency Procedure Flip Charts to inform students and staff about what to do in the event of an emergency.

What crime prevention services and programs does CBC offer?

Campus Security offers a variety of crime prevention services and programs including personal escort to and from classes when requested, active campus patrol, personal crime prevention tips targeted towards observed attractive nuisances or noted vulnerabilities, and employee crime prevention orientation upon request. Beginning in September 2017 Columbia Basin College opened a new Hall across the street from the CBC campus. The Hall will have two live-in resident advisors. The main entrance of the Hall will be secured 24 hours a day through a “FOB” access system. The upper floors are also secured 24 hours a day by a door access system. Only student residents and appropriate staff will be issued keys for room doors, and key FOBs for the Hall. Generally, the recreation room and office will be open during College operation hours and locked to the public during nights and weekends. Main entrances are under closed caption television surveillance, which will be recorded but not monitored. Hall students will be advised to shut and lock their doors and facility entry doors whenever possible to prevent the loss of any valuables. Campus Security will have routine patrols, as necessary.

Columbia Basin College has interior and exterior safety cameras on its campuses in an effort to provide a safe and secure working and learning environment. The cameras are high resolution

and placed throughout the campus and entrances/exits of campus, including parking lots and roads. The cameras are high resolution for zoom and more detailed picture to allow for review by Security and local police authorities. The resolution also allows for a more detailed picture/video to include license plate numbers, make/model of vehicles, etc. Other cameras focus on parking lots, entrances, and walkways. These cameras consist of both fixed and pan/tilt/zoom, with footage review for the purposes of investigating thefts, violation of sexual harassment/campus policy or criminal violations. The real time view can be seen by Security personnel in the Security Office or reviewed remotely during a major security incident such as bomb threat, campus shooting or other catastrophic situation.

How does CBC provide timely warnings regarding criminal activity?

In order to keep the campus community informed about safety and security issues, it is CBC's policy to notify the campus community of certain crimes in a timely manner to aid in the prevention of similar crimes. Timely warnings may be issued for other offenses not required by the Jeanne Clery Act if it has been determined the warning will assist in the prevention of similar offenses.

As CBC authorities receive information regarding crimes or criminal activity, Campus Security investigates the information and confers with other campus authorities, including the Vice President for Administrative Services, who then evaluates the need for emergency notification to the campus community. Emergency notification methods include, but are not limited to, the College's website <http://www.columbiabasin.edu/> and text/email notification system. Other notifications may also include the College's voice alert system that operates through the telephone system. Warnings/notifications may also be posted on television monitors on campus.

How does CBC provide security and safety information to the campus community?

CBC strives to make the campus a safe and responsible place by educating students, staff and the campus community regarding prevention, reporting, and seeking victim resources in regard to sexual violence, rape, acquaintance rape and forcible and non-forcible sex offenses. The campus community produces various publications such as the course catalog, student planner, and division newsletters that contain safety and security information.

Additionally, the following is provided:

- New students participate in First Year Introduction (FYI) classes on campus. Campus Security information is included in curriculum for these classes, which encourages students to be responsible for their own security and the security of others. Curriculum also includes the CBC Student Code of Conduct www.columbiabasin.edu/index.aspx?page=867, which outlines specific policies for student conduct and disciplinary action.
- For current students, a Student Safety Day, as well as various programs throughout the academic year, are provided on topics such as crime prevention, human trafficking and self-protection.
- For faculty and staff, In Service events, and at least one session of In Service training, is based on crime prevention and self-protection. Local law enforcement representatives are often invited to these sessions. Informational video presentations have included Shots Fired <http://shotsfireddvd.cpps.com/> and Silent Storm <http://silentstorm.cpps.com/> about

intimate partner violence and stalking. All members of the College community are encouraged to participate in these events, develop good personal safety practices and procedures, and be responsible for their own security and the security of others.

- The CBC Health & Safety Committee also presents a monthly safety tip via email to all students, faculty, and staff.
- New students and staff are responsible for completing the College's Sexual Violence Prevention program that is compliant to the policies outlined in the Violence Against Women Act and Campus Save Act.
- Beginning in September 2017 Columbia Basin College opened a new Hall across the street from the CBC campus. Warning/notifications may also be posted on the student Hall visual notification monitors. Additionally, during new student resident orientations, students will be given instructions referenced in the Handbook regarding security awareness and crime prevention.

CBC also distributes Emergency Procedure Flip Charts that outline emergency and evacuation procedures and emergency contact information in all classrooms and office spaces. In addition to the alert systems, television monitors are located in the Hawk Union Building to provide safety and security related updates as needed. Regular safety and security notices are also posted on the Campus Security website <http://www.columbiabasin.edu/index.aspx?page=19>.

What services are available for victims of a crime on campus?

Columbia Basin College Counselors are located in the Counseling Center in the H-Building on the Pasco Campus. Counselors provide short-term personal counseling services for students and appointments can be scheduled through the Counseling Center by calling (509) 542-5505. When students have issues or concerns that require long-term counseling, counselors assist with initial referrals to community mental health resources and may also consult with community agencies such as the Crisis Response Unit of Benton and Franklin counties and the Support, Advocacy, and Resource Center (formerly known as the Sexual Assault Response Center). Brochures listing community resources are available in the Counseling Center.

For counseling services for a student in crisis, faculty and staff have access to the Counseling Emergency CARE extension to make contact on behalf of the student. The student must be present at the time of the call and must be in need of immediate help. Counselors are available to respond to the calls and provide support and counseling to students who need immediate assistance. Each academic year the Counseling Emergency CARE extension number is emailed to all CBC employees, along with information on how to contact a CARE counselor for assistance when they are dealing with a student in crisis.

For CBC employees, including student employees, the College has an Employee Assistance Program (EAP) for employees and their family members to resolve personal and work-related problems. EAP can help with a wide range of issues, including but not limited to, depression, stress, anxiety, grief and loss, eldercare, marital issues and self-improvement. The EAP is cost-free and confidential, with limited exceptions. The EAP can be accessed 24 hours a day, seven days a week, by telephone at (877) 313-4455.

Sex Crime Reporting and Prevention Frequently Asked Questions

CBC's Position Statement

CBC prohibits rape, acquaintance rape, domestic rape, domestic violence, dating violence, sexual assault, and stalking.

What are CBC's sexual harassment policies and procedures?

CBC recognizes its responsibility for investigation, resolution, implementation of corrective measures, and monitoring the educational environment and workplace to stop, remediate, and prevent discrimination on the basis of race, color, national origin, age, disability, sex, sexual orientation, marital status, creed, religion, or status as a veteran of war as required by Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, RCW 49.60.030 and their implementing regulations. This includes sexual harassment, sexual violence and gender discrimination in violation of Title IX.

College-wide definitions and procedures are available on the Human Resources website <http://www.columbiabasin.edu/modules/showdocument.aspx?documentid=628> along with Chapter 132S-09 WAC <http://apps.leg.wa.gov/wac/default.aspx?cite=132S-09>. See Appendix 4: Administrative Policy 3-140, Non-Discrimination & Harassment Policy and Grievance Procedure.

Student-specific policies, definitions, and procedures are published in Chapter 132S-100 WAC and available in CBC's Student Code of Conduct. See Appendix 6.

What does CBC do in regards to sexual harassment/assault prevention?

Awareness programs are community-wide or audience-specific programs, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce criminal activity.

In 2016, CBC began utilizing two online sources to create awareness and to educate the campus community in order to help reduce risky student behavior and prevent sexual assault on campus:

- Campus Clarity for students.
- Lawroom for employees.

The objectives of these prevention and awareness programs are:

1. Increase awareness of sexual assault;
2. Teach sexual assault risk reduction strategies; and
3. Provide information about what a person should do in the event of a sexual assault.

Ongoing prevention and awareness campaigns includes programs, 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 the College.

What are CBC's confidential pathways for crime reporting?

CBC has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges. The College also has counseling and support services available, as well as additional remedies to prevent contact between a complainant and an accused party, such as academic and working accommodations, if reasonably available.

Although CBC strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a reports and victims have the right to decline involvement with the police. Security Officers with the CBC Security Department will assist any victim with notifying local police if they so desire.

1. Reporting to Campus Security
(509) 542-4819 or (509) 542-4819
2600 N. 20th Avenue, Pasco, WA 99301, V Building
Campus Security & Safety Supervisor, Levi Glatt, (509) 542-4819
lglatt@columbiabasin.edu
2. Reporting directly to the Pasco or Richland local law enforcement
Emergency number: 911
Non-emergency number: Pasco PD Dispatcher (509) 545-3510
Richland PD Dispatch (509) 628-0333
3. Reporting anonymously to or requesting resources of the Counseling Center
By phone: (509) 542-4435
In person at the H Building, 2600 N. 20th Avenue, Pasco, WA 99301
4. Filing a complaint with Camilla Glatt, CBC's Title IX Coordinator or Megan Pylican, Deputy Title IX Coordinator
By phone: Ms. Glatt (509) 542-5548, cglatt@columbiabasin.edu
By phone: Ms. Pylican (509) 542-4407, mpylican@columbiabasin.edu
2600 N. 20th Avenue, Pasco, WA 99301, A Building

Preserving evidence of a sex offense is time critical. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, the victim nevertheless should consider speaking with Campus Security or other law enforcement to preserve evidence in the event that the victim changes their mind at a later date.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged also to preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College hearing boards/investigators or police.

How does CBC manage reported sexual assaults on or near campus?

Primary Prevention and Awareness Program

Primary prevention is a program of activities directed at improving general well-being while also involving specific protection for a selected problem.

CBC's Sexual Assault Prevention and Awareness Program is a formal process for educating employees about domestic violence, dating violence, stalking, and sexual assault prevention. In an effort to educate the campus community about sexual assault (including prevention and awareness of sex offenses, procedures to follow if a sex offense occurs, procedures for on campus disciplinary action, possible sanctions, and discipline), resources and campus-sponsored awareness programs are offered on an ongoing basis throughout the year for incoming students and employees.

How does CBC support victims of sexual assault?

Matters requiring an investigation for potential student discipline are handled in a confidential manner in compliance with the Family Education Rights and Privacy Act (FERPA) and CBC's Student Code of Conduct at <http://www.columbiabasin.edu>.

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.

Beginning in September 2017 Columbia Basin College opened a new Hall across the street from the CBC campus. Resident student victims will have the option to change their academic and/or on-campus living situations after an alleged sexual assault, if such changes are reasonably available. The Hall will follow campus protocol from investigation to responding to the victim's needs as mentioned above.

How does CBC provide sex offender notification?

The College considers the protection of our campus community from sex offenders to be of utmost importance. The College provides the campus community notification of sex offenders registered to attend CBC pursuant to the Sexual Offender Notification Policy. The Policy is available at: <http://www.columbiabasin.edu/modules/showdocument.aspx?documentid=3113>. See Appendix 5: Administrative Policy and Procedure 9-060, Sexual Offender Notification.

The Vice President for Student Services' Office provides information to the campus community on any Level 3 sex offenders registered to attend the College and this information is updated on a quarterly basis. The notification of Level 3 sexual offenders is sent to students and staff via e-mail and postings on bulletin boards on campus. The notification includes name, level and picture of the sexual offender. The notification of Level 1 and 2 sexual offenders is sent to faculty who have the sexual offender registered or enrolled in their courses.

Institutions of higher education are responsible for issuing a statement advising the College community where law enforcement information regarding registered sex offenders may be obtained. It also requires a registered sex offender to notify each institution of higher education in the state that they are employed, carry a vocation, or are a student. In the state of Washington, sex offenders who are enrolled in a public or private institution of higher education must also notify the local county sheriff immediately.

In accordance with the "Campus Sex Crimes Prevention Act of 2000", which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Clery Act and the Family Educational Rights and Privacy Act of 1974, the CBC Security Department

provides a link to the Benton and Franklin Sheriff Offices' Registry, as well as the Washington Association of Sheriffs' and Police Chiefs' site, which is included below:

http://www.sheriffalerts.com/cap_main.php

Using this public information to threaten, intimidate or harass sex/kidnap offenders will not be tolerated by law enforcement agencies. In addition, any student violating this provision could be subject to the CBC Student Code of Conduct.

Emergency Reporting, Notification, and Procedures Frequently Asked Questions

How does CBC define and confirm an emergency requiring notification?

The following definitions of an emergency are provided as guidelines to assist in determining the appropriate response.

Minor Emergency: Any incident, potential or actual emergency, which will not seriously affect the overall functional capacity of the College.

Major Emergency: Any incident, potential or actual emergency, which effects a large portion of the campus and which will disrupt the overall operations of the College. An Emergency Operation Command (EOC) will be activated per the College's Emergency Preparedness Plan. The EOC includes, but is not limited to, the College President, vice presidents, communications director, and others. The College President consults with the EOC and local law enforcement responding to any emergency prior to making decisions related to emergency or dangerous situations and notification of the campus community.

Disaster: Any event or occurrence which has taken place and has seriously impaired or halted the operations of the College. In some cases, mass casualties and severe property damage may be sustained. A coordinated effort of all campus-wide resources is required to effectively help with response to this level of emergency. Outside emergency services will be essential, however if the destruction is of a large scale, fire/medical/police services may be delayed or not available. An EOC will be activated, and the Incident Command System will be used to govern the response.

How can I report emergencies on or around campus?

Pasco Campus: For emergency incidents that affect personal health or safety on campus, call 911 immediately and then contact Campus Security at (509) 542-4819.

Richland Campus: For emergency incidents that affect personal health or safety on campus, call 911 immediately and then contact Campus Security at (509) 542-4819 or come to the front entrance of the Health Sciences Building to contact the on-duty Campus Security Officer.

How does CBC notify campus community about immediate threat to life or safety?

Emergencies that pose an immediate threat to the health or safety of any campus community members or its facilities will be communicated by a variety of delivery methods appropriate to the specific threat:

- Text/Email Notification System
- CBC Website

- Voice alert system that operates through the CBC telephone system
- Media Release/Press Conference
- Face-to-face communications by Campus Security, administration and/or building captains

CBC EOC is ultimately responsible for timely warnings and has developed effective warning messages in collaboration with local first responders. In addition, the CBC EOC has the authority to initiate alerts upon confirmation of immediate threats without having to wait for approval from College administration.

The CBC EOC has various systems in place for communicating important information quickly including the CBC Emergency Notification System which utilizes text messaging and e-mails. Other communication systems include voice alert system that operates through the CBC telephone system, outdoor signage, network e-mails, website banners, website posting, social media and local media.

How does CBC test and evaluate emergency response and evacuation process?

CBC performs annual confidence testing of all fire suppression, alarm devices and systems. All drills performed engage a process that tests our emergency communication pathways, including emergency text messaging, and email alerts.

All CBC buildings have specific emergency plans in place, as well as building captains and building representatives to assist with emergency response and evacuation. CBC conducts exercises to test emergency response. These exercises and drills are to prepare all for an organized evacuation or lockdown situation. These tests may be announced or unannounced with appropriate follow through activities designed to assess and evaluate emergency plans and capabilities. Local first responders and county emergency management staff often assist with drills and exercises.

Each fall an email is sent to all faculty and staff with information about emergency response and evacuation procedures. All members of the CBC community are reminded that they are required to notify the CBC Security Department of any situation or incident on campus that involves a significant emergency or dangerous situation that could involve an immediate or ongoing threat to the health and safety of the CBC community. CBC Security will contact the EOC if the situation appears to pose a threat to the campus community.

Fire Safety Frequently Asked Questions

What fire evacuations, exercises, and trainings does CBC perform?

CBC emergency preparedness team annually reviews the College's Emergency Preparedness Plan in regards to emergency response and evacuation. The College also drills its emergency response team annually on evacuation techniques and procedures that assist responding fire department personnel. CBC did not maintain any on-campus housing facilities during the reporting period and was not responsible for performing fire evacuations, exercises or trainings. Beginning in September 2017 Columbia Basin College opened a new Hall and is implementing fire evacuation, exercises and training required in next year's Annual Security Report.

What fire safety systems are present on CBC campuses?

Fire extinguishers and fire suppression systems are present in all campus buildings. Smoke and heat detectors with audible horns and strategically located pull stations are present throughout all buildings and are connected to a 24-hour, externally-monitored system.

CBC did not maintain any on-campus housing facilities during the reporting period and was not responsible for performing fire safety data in campus housing. The fire safety system in the residential facility includes multiple fire extinguishers on each floor, hard wired smoke detectors and audible horns and strategically located pull stations are present throughout the Hall and are connected to a 24-hour, externally monitored system and will be captured in future Annual Security Reports.

How does CBC educate the campus community regarding fire safety and training?

CBC provides emergency evacuation information to students, staff and visitors by distributing Emergency Procedure Flip Charts in all campus facilities and on the Campus Security website <http://www.columbiabasin.edu>.

CBC did not maintain any on-campus housing facilities during this reporting period and was not responsible for educating students living in campus housing. During new resident orientations, students will be given instructions referenced in the Handbook regarding Hall fire safety procedures.

Does CBC maintain an Annual Fire Safety Report?

CBC did not maintain any on-campus student housing facilities during the reporting period and was not responsible for preparing an Annual Fire Safety Report, report fire safety statistics, or maintain a fire safety log. The Annual Fire Safety Report information will be captured in 2018.

Missing Persons Frequently Asked Questions

What is CBC's response for reports of missing persons?

CBC did not maintain on-campus housing facilities during this reporting period and was not required to have a missing student notification policy. If a CBC student is reported missing, the Security Department will assist the investigating law enforcement agency in any way possible. This includes posting notifications on the College website, as well as posting notifications physically on campus when appropriate.

Drug and Alcohol Policies Frequently Asked Questions

What are CBC's policies regarding drug and alcohol abuse?

It is the goal of CBC to adhere to federal regulations and provide a drug-free environment. CBC is dedicated to maintaining a drug free campus for students and employees.

Students are specifically prohibited from using, possessing, delivering, administering, or selling any controlled substance or legend drug including but not limited to anabolic steroids as defined in RCW 69.41.010 and RCW 69.41.300, as now law or hereafter amended, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical or dental practitioner. Investigative and disciplinary procedures pertaining to alleged student behavior are available in Chapter 132S-100 WAC and CBC's Student Code of Conduct.

During 2016, CBC utilized an online source to create awareness and to educate students in order to help reduce drug and alcohol abuse on or off campus: Campus Clarity for students. The College provided Reasonable Suspicion Training to supervisors and all new employees were required to take Drug & Alcohol Training within the first ninety days of employment. Additionally, an annual notification of Drug-Free Schools and Communities Act/Drug-Free Workplace was sent via e-mail to all employees informing them of our policy and the requirements of CBC. This information is located on the CBC Webpage at <http://www.columbiabasin.edu/index.aspx?page=2108>. Additional notice is provided to employees funded or partially funded by federal grants or contracts of their requirement to report within (5) five days if they are convicted of any criminal drug statute violation occurring in the workplace or while on College business.

No Retaliation

No officer, employee, or agency of Columbia Basin College shall retaliate, intimidate, threaten, coerce or otherwise discriminate against any individual for exercising their rights and responsibilities under the Clery Act or Title IX. No one shall be singled out, penalized, or retaliated against in any way for reporting concerns. CBC will not tolerate retaliation against individuals making good faith reports as provided for in this policy even where the concerns prove ultimately to have been in error. Retaliation may be grounds for disciplinary action.

Appendices

1) Pasco Campus Map



Pasco Campus
2000 N 20th Ave
1110 W Argent Road



Inside yellow line to blue line is campus public property.
Inside blue line is on campus property.

2) Richland Campus Map



Richland Campus
901 ~~Northgate~~ Drive
891 ~~Northgate~~ Drive



CBC does not count crime statistics for interior of Richland Public Library

Inside yellow line to blue line is campus public property.
Inside blue line is on campus property.

3) Chase Complex Campus Map




Chase Complex
1400 N. 20th Ave

Inside yellow line to blue line is campus public property. Inside blue line is on campus property.



4) Non-Discrimination & Harassment Policy and Grievance Procedure

	<p>Non-Discrimination & Harassment Policy and Grievance Procedure</p> <p>Revised 10/02, 08/04, 06/05, 03/06, 11/07 June 2015</p>	
<p>Human Resources</p>	<p>Administrative Policy & Procedure 3-140</p>	<p>Page 1 of 13</p>

Columbia Basin College recognizes its responsibility for investigation, resolution, implementation of corrective measures, and monitoring the educational environment and workplace to stop, remediate, and prevent discrimination on the basis of race, color, national origin, age, perceived or actual physical or mental disability, pregnancy, genetic information, sex, sexual orientation, gender identity, marital status, creed, religion, honorably discharged veteran or military status, or use of a trained guide dog or service animal, as required by Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Sections 504 and 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act and ADA Amendment Act, the Age Discrimination Act of 1975, the Violence Against Women Reauthorization Act and Washington State’s Law Against Discrimination, Chapter 49.60 RCW and their implementing regulations. To this end, Columbia Basin College (the College) has enacted this policy prohibiting discrimination against and harassment of members of these protected classes. 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.

1.0 Objective and Responsibilities

Any employee, student, applicant, or visitor who believes that he or she has been the subject of discrimination or harassment based on protected class status or gender should report the incident or incidents to the College’s Title IX/EEO Coordinator identified below. If the complaint is against that Coordinator, or his or her relative attending or working for the College, the complainant should report the matter to the President’s office for referral to an alternate designee.

Name: Camilla Glatt, Vice President for Human Resources & Legal Affairs
 Title: Title IX/EEO Coordinator
 Office: Human Resources Contact Info: (509) 542-5548

The Title IX/EEO Coordinator or designee:

- Will accept all complaints and referrals from College employees, applicants, students, and visitors.
- Will make determinations regarding how to handle requests by complainants for confidentiality.
- Will keep accurate records of all complaints and referrals for the required time period.
- May conduct investigations or delegate and oversee investigations conducted by a designee.
- May impose interim remedial measures to protect parties during investigations of discrimination or harassment.
- Will 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. 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 <https://www.columbiabasin.edu/index.aspx?page=907>. Hardcopies of the Policy and complaint form are available at the following locations on campus: Hawk Central, Counseling & Advising Center, Human Resources/Student Employment, President's Office/Administrative Wing of A Building and Vice President for Instruction's Office.

2.0 Definitions

The following definitions are specific to the terms of this procedure and do not modify or revise similar terms as used in related procedures or collective bargaining agreements.

- 2.1 **Advisor**: a person of the complainant or respondent's choosing who can accompany the complainant or respondent to any related meeting or proceeding.
- 2.2 **Complainant**: employee(s), applicant(s), student(s), or visitor(s) of Columbia Basin College who alleges that she or he has been subjected to discrimination or harassment due to his or her membership in a protected class.
- 2.3 **Complaint**: a description of facts that allege violation of the College's policy against discrimination or harassment.
- 2.4 **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. In order to give effective consent one must be of legal age.

A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has engaged in nonconsensual conduct.
Intoxication is not a defense against allegations that an individual has engaged in nonconsensual sexual conduct.
- 2.5 **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.
- 2.6 **Force**: use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation and coercion that overcome resistance or produce consent. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.
- 2.7 **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.

- 2.8 **Hazing**: acts likely to cause physical or psychological harm or social ostracism to any person within the College community, when related to admission, initiation, joining, or any other group – affiliation activity.
- 2.9 **Hostile Environment**: any situation in which there is harassing conduct that is based on protected class status and 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 or social programs.

The determination of whether an environment is "hostile" must be based on all of the circumstances. These circumstances could include:

- The frequency of the conduct;
- The nature and severity of the conduct;
- Whether the conduct was physically threatening;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the statement is a mere utterance of an epithet which engenders offense in an employee or student, or offends by mere discourtesy or rudeness;
- Whether the speech or conduct deserves the protections of academic freedom or the 1st Amendment.

- 2.10 **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.
- 2.11 **Resolution**: the means by which the complaint is finally addressed. This may be accomplished through informal or formal processes, including counseling, mediation (when appropriate), or the formal imposition of discipline sanction.
- 2.12 **Respondent**: person or persons who are members of the campus community who allegedly discriminated against or harassed another person or persons.
- 2.13 **Sexual Exploitation**: occurs when one person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage

anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to: invasion of sexual privacy, engaging in voyeurism, non-consensual video or audio taping of sexual activity; sexually-based stalking and/or bullying may also be forms of sexual exploitation.

2.14 **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.

2.14.1 **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.

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

Examples of conduct that may qualify as sexual harassment include:

- Persistent comments or questions of a sexual nature.
- A supervisor who gives an employee a raise in exchange for submitting to sexual advances.
- An instructor who promises a student a better grade in exchange for sexual favors.
- Sexually explicit statements, questions, jokes, or anecdotes.
- Unwelcome touching, patting, hugging, kissing, or brushing against an individual's body.
- Remarks of a sexual nature about an individual's clothing, body, or speculations about previous sexual experiences.
- Persistent, unwanted attempts to change a professional relationship to an amorous relationship.
- Direct or indirect propositions for sexual activity.
- Unwelcome letters, emails, texts, telephone calls, or other communications referring to or depicting sexual activities.

2.15 **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.

2.16 **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.

2.17 **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.

- 2.18 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.
- 2.19 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.
- 2.20 Stalking: means intentional and repeated harassment or following of another person, which places that person in reasonable fear that the perpetrator intends to injure, intimidate, or harass that person. Stalking also includes instances where the perpetrator knows or reasonably should know that the person is frightened, intimidated, or harassed, even if the perpetrator lacks such intent.

3.0 Who May File a Complaint

Any employee, applicant, student or visitor of the College may file a complaint. Complaints may be submitted in writing or verbally, which will be captured in written form for processing. The College encourages the timely reporting of any incidents of discrimination or harassment. For complainants who wish to submit a written complaint, a formal complaint form is available online at <https://www.columbiabasin.edu/index.aspx?page=907>. Hardcopies of the complaint form are available at the following locations on campus: Hawk Central, Counseling & Advising Center, Human Resources/Student Employment, President's Office/Administrative Wing of A Building and Vice President for Instruction's Office. Any person submitting a discrimination complaint shall be provided with a written copy of the College's non-discrimination and harassment policies and grievance procedures.

4.0 Confidentiality and Right to Privacy

Columbia Basin College will seek to protect the privacy of the complainant to the full extent possible, consistent with the legal obligation to investigate, take appropriate remedial and/or disciplinary action, and comply with the federal and state law, as well as Columbia Basin College policies and procedures. Although Columbia Basin College will attempt to honor complainants' requests for confidentiality, it cannot guarantee complete confidentiality. Determinations regarding how to handle requests for confidentiality will be made by the Title IX/EEO Coordinator.

Confidentiality Requests and Sexual Violence Complaints. The Title IX/EEO Coordinator will inform and obtain consent from the complainant before commencing an investigation into a sexual violence complaint. If a sexual violence complainant asks that his or her 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 College community, including the complainant.

Factors to be weighed during this determination may include, but are not limited to:

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

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

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

5.0 Responsible Employees and Reporting Responsibilities

The College is obligated to address acts of sex-based misconduct (including sexual harassment and/or retaliation) of which a responsible employee knew or should have known occurred. A “responsible employee” is any employee who:

- Has the authority to take action to redress sex-based misconduct;
- Has been given the duty of reporting incidents of sex-based misconduct or any other misconduct by students; or
- A student could reasonably believe has this authority or duty.

For student complainants where the alleged offender is another student “responsible employees” include administrators (Directors, Deans, Vice Presidents, etc.), Athletic Director/Assistant Athletic Director, ASCBC Director/Assistant Director, Resource Center Staff, Completion Coaches, Hawk Central Staff Members, Security Officers, and executive assistants and secretarial staff reporting to positions designated above.

A responsible employee *must* report to the Title IX/EEO Coordinator all relevant details about alleged sex-based misconduct (including sexual harassment and/or retaliation) that the student or other person has shared and that the College will need to determine what occurred and resolve the situation. This includes the names of the alleged Respondent (if known), the student complainant or other person who experienced the alleged sex-based misconduct, others involved in the alleged sex-based misconduct, as well as relevant facts, including the date, time and location. If the complaint is against the Title IX/EEO Coordinator, or his or her relative attending or working for the College, the complainant should report the matter directly to the President’s office for referral to an alternate designee.

A responsible employee should provide the following information to a Complainant: (1) the reporting obligations (discussed above) of the responsible employee; (2) Complainant’s option to request confidentiality and available confidential resources; (3) Complainant’s right to file a Title

IX Complaint with the College; and (4) Complainant's right to report a crime to local law enforcement.

For convenience of student complaint reporting, there are College-designated responsible employees and contact information noted on the College's Webpage, with all reports referred by the designated responsible employees to the Title IX/EEO Coordinator.

For a staff complaint of sex-based misconduct (including sexual harassment and/or retaliation) by a student or another staff member, the staff complaint may be reported to the immediate supervisor, with the supervisor report/referral to the Title IX/EEO Coordinator or the Human Resources Director. A direct report to the Title IX/EEO Coordinator or Human Resources Director will be more expeditious in terms of processing the complaint. If the complaint is against the Title IX/EEO Coordinator, or his or her relative attending or working for the College, the complainant should report the matter directly to the President's office for referral to an alternate designee.

6.0 Investigation Procedure

Upon receiving a discrimination complaint, the Title IX/EEO Coordinator will assess the written complaint and determine the appropriate steps necessary to ensure all relevant evidence is obtained and all critical elements are addressed. The Title IX/EEO Coordinator shall be responsible for overseeing all investigations. Investigations may be conducted by the Title IX/EEO Coordinator or his or her 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.

- 6.1 Interim Measures. The Title IX/EEO Coordinator may impose interim measures to protect the complainant and/or respondent and/or others 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.
- 6.2 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 or her 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.

- 6.3 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.
- 6.3.1 Complainant Notice. 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.
- 6.3.2 Respondent Notice. 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.
- 6.3.3 Request for Reconsideration. Either the complainant or the respondent may seek reconsideration of the finding and/or referral for disciplinary action to 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 a request for reconsideration is received, the Title IX/EEO Coordinator shall respond within 10 days. If the Title IX/EEO Coordinator determines the request for reconsideration has merit, he or she may issue an amended finding or referral. Any amended decision is final and no further reconsideration is available, with the exception of Section 6.5 below for appeal/review/grievance of disciplinary action as appropriate.
- 6.4 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.
- 6.5 Appeal for Disciplinary Action. If formal disciplinary action is imposed as a result of a finding of violation of this policy, then a respondent may file an appeal. The right to appeal on particular grounds (i.e. the finding is not supported by the evidence, the sanction is substantially disproportionate to the severity of the violation, due process was violated, new evidence is available), if offered to either party, must be equally accessible to the complainant.
- 6.5.1 Student Conduct Appeal. A student respondent may appeal a disciplinary action taken by the Chief Student Conduct Officer or the Student Conduct Board in accordance with Chapter . The complainant will receive notice of the appeal and may submit either his/her own appeal or a written response to the student respondent's appeal within ten (10) calendar days, which will be considered.
- 6.5.2 Represented Employee Grievance. A faculty member or represented classified staff member may file a grievance under the applicable Collective Bargaining Agreement.

- 6.5.3 Non-Represented Classified Employee Appeal. Non-represented classified staff may file an appeal with the Personnel Resources Board under WAC 357-52-020.
- 6.5.4 All Other Employee Review. All other employees may request review of the disciplinary action through the supervisory chain of command to the College President within twenty (20) days of the imposition of the discipline. This includes student workers if the discipline imposed resulted from conduct that occurred during the performance of student employment and includes a loss in pay as a sanction (nothing prohibits the Title IX/EEO Coordinator and/or Investigator from referring findings against a student employee to the Chief Student Conduct Officer for additional review under the Student Conduct Code). The request for review must be a signed, written document articulating the grounds for review. The responsible supervisor will respond to the request for review within twenty (20) working days of receipt. If the finding(s) and/or discipline is upheld, then review of the supervisor's decision can be filed with the College President using the same process. If the finding(s) and/or discipline is upheld, the College President's decision will constitute final action and there is no further appeal within the College.
- 6.5.5 Volunteer or Visitor Review. A volunteer or visitor respondent may request review of sanction(s) imposed in response to any findings under this Policy, including temporary or permanent trespass through the President's Office.

7.0 Publication of Anti-Discrimination Policies and Procedures

The policies and procedures regarding complaints of discrimination and harassment shall be published and distributed as determined by the President or President's designee. Any person who believes he or she has been subjected to discrimination in violation of College policy will be provided a copy of these policies and procedures.

8.0 Limits to Authority

Nothing in this policy or procedure shall prevent the College President or designee from taking immediate disciplinary action in accordance with Columbia Basin College policies and procedures, collective bargaining agreement(s), and federal, state, and municipal rules and regulations.

Nothing in this policy or procedure limits the College from considering applicable policies of the College when investigating complaints, including but not limited to, the College's Standards of Conduct policy, Appropriate Use of IT Resources policy, Code of Ethics policy, Consensual Relations Leading to Conflicts of Interest policy or any other policy or procedure. For complaints involving students, nothing in this policy or procedure limits the College from evaluating the conduct of any student under the Student Code of Conduct.

9.0 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 has been the victim of retaliation should contact the Title IX/EEO Coordinator immediately.

10.0 Criminal Complaints

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

Pasco CBC Campus:	Pasco Police Department (509) 545-3481 or Emergency 911
Richland CBC Campus:	Richland Police Department (509) 628-0333 or Emergency 911

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.

11.0 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/index.html>

US Dept of Education Office for Civil Rights:
<http://www2.ed.gov/about/offices/list/ocr/index.html>

Equal Employment Opportunity Commission:
<http://www.eeoc.gov/>



Harassment, Discrimination

(Including Sexual Misconduct) and

**Retaliation
Complaint Form**

You should review the College's Non-Discrimination & Harassment Policy and Grievance Procedure on the CBC website at: <http://www.columbiabasin.edu/index.aspx?page=207>.

This form is designed to provide Columbia Basin College students, employees, faculty, vendors, visitors, or others with a method to report specific information related to an alleged incident(s) of discrimination, harassment (including sexual misconduct), or retaliation.

You are not required to complete the entire form in order for the complaint to be submitted. The College will use the information provided to begin evaluating the complaint, which may include contacting the complainant, respondent, and/or potential witnesses. However, if the form is incomplete or does not contain specific information, the College's evaluation, any investigation and/or response may be limited.

Submit the completed form to Camilla Glatt, Title IX/EEO Coordinator, A Building, Human Resources Office, 2600 N. 20th Avenue, Pasco, WA 99301 or cglatt@columbiabasin.edu

Complainant Information:

Are you a: Student Employee Faculty Visitor Other (please specify)

If you wish to identify yourself, please fill in the information listed below:

Last Name: _____ First Name: _____

Address: _____

City: _____ State: _____ Zip _____

Contact Number: _____ E-mail: _____

Type and Basis of Complaint:

Type of Complaint: Discrimination Harassment (including sexual misconduct) Retaliation

If you are filing a discrimination or harassment complaint, please indicate the protected status(s) that is/are the basis for the alleged behavior:

Resolution:

What remedy are you seeking?

By submitting this form, I certify that the information I have provided is true and accurate to the best of my knowledge.


Signature

Date

Telephone Number (Optional)

Relationship to Complainant (Optional)

5) Sexual Offender Notification

	<p>Sexual Offender Notification</p> <p style="text-align: right;">Adopted 04/01 March 2006</p>	
<p>Health and Safety</p>	<p>Administrative Policy and Procedure 9-060</p>	<p>Page 1 of 2</p>

12.0 Sexual Offender Notification Objectives and Responsibilities

Columbia Basin College (CBC) may make appropriate notifications to the College community concerning registered sex offenders whose presence may be reasonably expected on or near the College campus. The extent of public disclosure of relevant and necessary information shall be directly related to the level of risk posed by the offender to the community and the needs of the affected community members for information to enhance their individual and collective safety.

- 1.1 The College community consists of the faculty, staff, and students.
- 12.1 The College will coordinate with and assist local law enforcement agencies and will maintain documentation on offenders as appropriate.

13.0 Purpose

13.1 To increase the safety and welfare of students and staff of Columbia Basin College by providing timely and appropriate notification of the presence of a convicted sexual offender. This notification shall be in accordance with the applicable state law and shall be in such a manner that maintains safety without creating excessive anxiety among students and staff.

14.0 Authority

14.1 Pursuant to RCW 4.24.550, CBC is authorized to notify the College community when knowledge is received that a registered sex offender may be expected on or near the College campus, including off-site buildings.

15.0 Notification

When Columbia Basin College is notified that a registered sex offender is enrolled on campus, works on campus, or otherwise is reasonably expected to be on campus, community notifications may be made based on the level of risk of the offender as determined by the local law enforcement agencies.

Upon notification from the local law enforcement agency, or other persons that a sex offender has registered locally, the Vice President for Student Services will be informed and determine if the offender has applied for enrollment or employment, has registered for a course, or is employed by the College. Following the determination that the offender can reasonably be expected to be on campus, the Vice President for Student Services will contact the reporting agency to request and review all pertinent information including the assessment of the offender.

In general, the College may implement notification as follows:

- 15.1 Level 1 – Low Risk
 - 15.1.1 Administrators notified.
 - 15.1.2 Affected Faculty and Supervisory Staff notified (if employee or work study).
 - 15.1.3 Convicted offender informed of notification procedure. Other than notification procedures, convicted sexual offenders will receive the same rights and privacy protections provided to all students.

- 15.2 Level 11 – Medium Risk
 - 15.2.1 All Level 1 notifications.
 - 15.2.2 Community advisory information provided to affected members of faculty and staff via internal mail.

- 15.3 Level 111 – High Risk
 - 15.3.1 All Level 11 notifications.
 - 15.3.2 Community advisory information provided to all College departments and employees via internal mail.
 - 15.3.3 Community advisory flyers posted to campus bulletin boards.

- 4.4 Columbia Basin College will maintain files on all registered sex offenders covered under this policy. The files will include:
 - 4.4.1 Copies of all files, photos, and other correspondence provided by other agencies;
 - 4.4.2 A record of all notifications made; and
 - 4.4.3 Copies of all community advisory flyers or other public notices.

16.0 Immunities

- 16.1 RCW 4.24.550 provides immunity to CBC, its officials, and employees:
 - 16.1.1 An elected public official, public employee, or public agency as defined in RCW 4.24.470 is immune from civil liability for damages for any discretionary decision to release relevant and necessary information, unless it is shown that the official, employee, or agency acted with gross negligence or in bad faith. The immunity provided under this section applies to the release of relevant information to other employees or officials or to the general public.
 - 16.1.2 Except as otherwise provided by statute, nothing in this section shall impose any liability upon a public official, public employee, or public agency for failing to release information as provided in subsection one (1) of this section.
 - 16.1.3 Nothing in this section implies that information regarding persons designated in subsection one (1), in this section is confidential except as otherwise provided by statute.
 - 16.1.4 Further immunities are proscribed in RCW 4.24.470, *Liability of officials and member of governing body of public agency – Definitions and* RCW 4.24.490, *Indemnification of state employees.*

6) Student Policies

<http://apps.leg.wa.gov/WAC/default.aspx?cite=132S-40&full=true>

WAC Sections

[132S-100-010](#)Preamble.

[132S-100-020](#)Good standing.

[132S-100-030](#)Definitions.

ARTICLE I

AUTHORITY FOR THE STUDENT CODE OF CONDUCT

[132S-100-100](#)Student code authority.

[132S-100-105](#)Composition of the student conduct board.

[132S-100-110](#)Student appeals board.

[132S-100-115](#)Convening boards.

[132S-100-120](#)Classroom conduct and the learning environment.

[132S-100-125](#)Decisions.

ARTICLE II

PROSCRIBED CONDUCT

[132S-100-200](#)Jurisdiction of the student code of conduct.

[132S-100-203](#)Conduct—Rules and regulations.

[132S-100-205](#)Abusive conduct.

[132S-100-208](#)Abuse of the student conduct system.

[132S-100-210](#)Destroying or damaging property.

[132S-100-213](#)Discrimination.

[132S-100-215](#)Disorderly conduct.

[132S-100-220](#)Disruption.

[132S-100-225](#)Drugs and drug paraphernalia.

[132S-100-230](#)Falsehoods and misrepresentations.

[132S-100-235](#)Hazing.

[132S-100-240](#)Insubordination.

[132S-100-245](#)Liquor.

[132S-100-250](#)Misuse of equipment and technology.

[132S-100-255](#)Safety misconduct.

[132S-100-260](#)Sexual misconduct.

[132S-100-265](#)Theft.

[132S-100-270](#)Trespass or unauthorized presence.

[132S-100-275](#)Weapons.

[132S-100-280](#)Academic dishonesty.

[132S-100-285](#)Classroom misconduct.

[132S-100-290](#)Violation of law.

[132S-100-295](#)Violation of college policy, rule, or regulation.

ARTICLE III

RULES AND REGULATIONS

- 132S-100-300 Responsibility for guests.
132S-100-305 Student clubs and organizations.
132S-100-310 Violation of law and college discipline.

ARTICLE IV
STUDENT CODE OF CONDUCT
PROCEDURES

- 132S-100-400 Student conduct process.
132S-100-405 Student conduct board process.
132S-100-410 Academic dishonesty process.
132S-100-415 Appeal process.
132S-100-420 Sexual misconduct procedures.
132S-100-425 Appeal process for complainants of sexual misconduct.
132S-100-430 Sanctions.
132S-100-435 Interim measures.

ARTICLE V
RECORDS

- 132S-100-500 Records of disciplinary action.

132S-100-010
Preamble.

Columbia Basin College (herein referred to as "CBC" or "the college") is supportive of diversity among ideas, cultures, and student characteristics in the pursuit of advancing one's education. A responsibility to secure, respect, and protect such opportunities and conditions is shared by all members of the academic community.

As a member of this community, students are expected to uphold and be accountable for this student code of conduct both on and off campus, and acknowledge that the college has the authority to take disciplinary action when a student violates these policies.

As an agency of the state of Washington, CBC must respect and adhere to all laws established by local, state, and federal authorities. This student code of conduct has been developed to educate students and protect the welfare of the community. [Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-100-010, filed 5/25/16, effective 6/25/16.]

132S-100-020
Good standing.

The award of a degree or certificate is conditioned upon the student's good standing in the college and satisfaction of all program requirements. "Good standing" means the student has resolved any unpaid fees or acts of academic or behavioral misconduct and complied with all sanctions imposed as a result of any misconduct. CBC shall deny award of a degree or certificate if the student is dismissed from the college based on their misconduct.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-100-020, filed 5/25/16, effective 6/25/16.]

132S-100-030
Definitions.

Assembly - Any overt activity engaged in by one or more persons, the object of which is to gain publicity, advocate a view, petition for a cause or disseminate information to any person, persons or group of persons.

Board of trustees - The board of trustees of Community College District No. 19, state of Washington.

Bullying - Physical or verbal abuse, repeated over time, and involving a power imbalance between the aggressor and victim.

College - Columbia Basin College, established within Community College District No. 19, state of Washington.

College facilities - Any and all real property controlled or operated by the college, including all buildings and appurtenances affixed thereon or attached thereto.

College premises - All land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the college, including adjacent streets and sidewalks.

Complainant - A person who reports that a violation of the student code of conduct has occurred towards themselves, another person, and/or group of people.

Complaint - A description of facts that allege a violation of student code of conduct or other college policy.

Consent - Knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon activity, including sexual activity. A person cannot consent for sexual activity if they are not of legal age, unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. Intoxication is not a defense against allegations that an individual has engaged in nonconsensual sexual activity.

Cyberstalking, cyberbullying, and online harassment - The prohibited behavior of stalking, bullying, and/or harassment through the use of electronic communications including, but not limited to, electronic mail, instant messaging, electronic bulletin boards, and social media sites, which harms, threatens, or is reasonably perceived as threatening the health or safety of another person.

Disciplinary action - The sanctioning of any student pursuant to WAC [132S-100-430](#) for the violation of any designated rule or regulation of the college, including rules of student conduct, for which a student is subject to adverse action.

Harassment - Conduct by any means that is severe, persistent, or pervasive, and is of such a nature that it would, or does cause a reasonable person substantial emotional distress and undermine their ability to work, study, or participate in their regular life activities or participate in the activities of the college.

Instructional day - Any regularly scheduled instructional day designated in the academic year calendar, including summer quarter, as a day when classes are held or during final examination week. Saturdays and Sundays are not regularly scheduled instructional days.

Policy - The written regulations of the college as found in, but not limited to, the student code of conduct and any other official regulation written or in electronic form.

Preponderance of the evidence - The standard of proof used with all student disciplinary matters at CBC that fall within the student code of conduct, which means that the amount of evidence needs to be at fifty-one percent or "more likely than not" before a student is found responsible for a violation.

President - The chief executive officer appointed by the board of trustees or, in such president's absence, the acting president or other appointed designee. The president is authorized to delegate any and all of their responsibilities as may be reasonably necessary.

Respondent - The student against whom disciplinary action is being taken or initiated.

Rules of the student conduct code - The rules contained herein as now exist or which may be hereafter amended, the violation of which subject a student to disciplinary action.

Service - The process by which a document is officially delivered to a party. Service is deemed complete upon hand delivery of the document or upon the date the document is electronically mailed and deposited into the mail.

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

Student - Any person taking courses either full-time or part-time, or participating in any other educational offerings at CBC, excluding students enrolled in the High School Academy. If a student withdraws after allegedly violating the student code of conduct, but prior to the college reaching a disciplinary decision in the matter, the college can move forward with the disciplinary process, place the process on hold until the student returns, or choose to place the investigation results in the student's file for consideration should they reapply for admittance to reenroll in the college.

Student appeals board - Also referred to as the "SAB" or "appeals board." The SAB presides over the appeal process for the SCO and SCB conduct decisions that a student has timely appealed as set forth herein.

Student conduct board - Also referred to as the "SCB" is a hearing panel for some disciplinary matters as set forth herein.

Student conduct officer - Also referred to as "conduct officer" and/or "SCO" is the person designated by the college president to be responsible for the administration of the student code of conduct or, in such person's absence, the acting SCO or other appointed designee. The SCO is authorized to delegate any and all of his/her responsibilities as may be reasonably necessary.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-030, filed 5/25/16, effective 6/25/16.]

132S-100-100

Student code authority.

The SCO will develop policies for the administration of the student code of conduct as well as procedural rules for the conduct of SCB hearings that are consistent with the provisions of the student code of conduct as specified herein.

The CBC board of trustees, acting pursuant to RCW [28B.50.140](#)(14), do by written order, delegate to the president of the college, the authority to approve or reject a disciplinary action for which there is a recommendation that a student be expelled or suspended.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-100, filed 5/25/16, effective 6/25/16.]

132S-100-105

Composition of the student conduct board.

The college will have a SCB composed of five members who will serve as a standing committee until a decision is made regarding the case. The membership of the SCB during a hearing will consist of four members chosen and approved by the SCO and vice-president of student services, two students in good standing, and two faculty members. The fifth member is the chairperson, who may be of any category of college employee and who shall be approved by the president of the college. The chairperson will preside at the disciplinary hearing and will provide administrative oversight through the hearing process. The chairperson may participate in committee deliberations but will not vote unless it is necessary to constitute a quorum or the vote of the SCB is tied, at which time the chairperson will cast the deciding vote. Any three persons constitute a quorum of a conduct board and may act, provided that at least one student, one faculty, and the chairperson are present.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-105, filed 5/25/16, effective 6/25/16.]

132S-100-110

Student appeals board.

The college will have a student appeals board (herein referred to as the "SAB" or "appeals board") composed of three members who will serve as a standing committee until a decision is made regarding the appeal and after their following appeal time frame has passed. The membership of the appeals board will consist of three members, two individuals from the staff or faculty and the vice-president of student services or their designee. The two members will be chosen and approved by the SCO and they must possess no direct history or relation to the student that has filed an appeal. The vice-president of student services will act as the chairperson of the appeals board. The chairperson will provide administrative oversight throughout the process and participate in committee deliberations, but they will only vote if the SAB decision is tied, at which time the chairperson will cast the deciding vote.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-110, filed 5/25/16, effective 6/25/16.]

132S-100-115

Convening boards.

The SCO convenes the SCB and/or SAB from the appointed board membership only if a SCB or SAB is needed for disciplinary or appeal procedures.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-115, filed 5/25/16, effective 6/25/16.]

132S-100-120

Classroom conduct and the learning environment.

Instructors have the authority to take appropriate action to maintain order and proper conduct in the classroom and to maintain the effective cooperation of the class in fulfilling the objectives of the course. An instructor may exclude a student from any single class/program session during which the student is so disorderly or disruptive that it is difficult or impossible to maintain classroom decorum. The instructor will report any such exclusion from the class/program session to the SCO. The SCO may initiate disciplinary action under the student code of conduct.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-120, filed 5/25/16, effective 6/25/16.]

132S-100-125

Decisions.

Decisions on responsibility by the SCO, the SAB, or the SCB are made using the preponderance of evidence standard of proof. These decisions become final after fifteen calendar days from the date of notification to the student unless a written appeal is filed with the SCO prior to that final date. A decision to drop the charges, issue a warning, and/or to only document the case, are not subject to appeal unless the case involves sexual misconduct (see WAC [132S-100-420](#) and [132S-100-425](#)). All decision notifications by the SCO, SCB, or SAB will include the outcome for the decision and the procedures for appealing that decision. Decisions on an appeal from the president of the college or their designee are final.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-125, filed 5/25/16, effective 6/25/16.]

132S-100-200

Jurisdiction of the student code of conduct.

The CBC student code of conduct will apply to conduct that occurs on college premises, at college-sponsored events and activities, and to off-campus conduct which are violations or alleged violations of local, state, or federal law and which also violate this student code of conduct. Such allegations or violations that occur off-campus can be the subject of college disciplinary action if the SCO determines disciplinary action is necessary. Students are responsible for their conduct from the time of application for admission until thirty instructional days following the actual receipt of a degree and/or certificate, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. These standards shall apply to a student's conduct even if the student withdraws from the college while a disciplinary matter is pending. The SCO will decide whether the code will be applied to conduct occurring off campus, on a case-by-case basis, at their sole discretion.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-200, filed 5/25/16, effective 6/25/16.]

132S-100-203

Conduct—Rules and regulations.

The attendance of a student at CBC is a voluntary entrance into the academic community. By such entrance, the student assumes obligations of performance and behavior reasonably imposed by the college relevant to its lawful missions, processes, and functions. It is the college's expectation that students will:

- (1) Conduct themselves in a responsible manner;
- (2) Comply with rules and regulations of the college and its departments;
- (3) Respect the rights, privileges, and property of other members of the academic community;
- (4) Maintain a high standard of integrity and honesty; and
- (5) Not interfere with legitimate college business appropriate to the pursuit of educational goals.

Any student or student organization will be subject to disciplinary action who, either as a principal or participator or by aiding or abetting, commits or attempts to commit any of the misconduct per WAC [132S-100-205](#) through [132S-100-295](#).

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-203, filed 5/25/16, effective 6/25/16.]

132S-100-205

Abusive conduct.

Physical and/or verbal abuse, threats, intimidation, harassment, online harassment, coercion, bullying, cyberbullying, retaliation, stalking, cyberstalking, and/or other conduct which threatens or endangers the health or safety of any person or which has the purpose or effect of creating a hostile or intimidating environment.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-205, filed 5/25/16, effective 6/25/16.]

132S-100-208

Abuse of the student conduct system.

Abuse of the student conduct system which includes, but is not limited to:

- (1) Failure to obey any notice from a college official to appear for a meeting or hearing as part of the student conduct system.
- (2) Willful falsification, distortion, or misrepresentation of information during the conduct process.
- (3) Disruption or interference with the orderly conduct of a college conduct proceeding.
- (4) Filing fraudulent charges or initiating a college conduct proceeding in bad faith.
- (5) Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
- (6) Attempting to influence the impartiality of a member of the college conduct system prior to, during, and/or after any college conduct proceeding.
- (7) Harassment (verbal or physical), retaliation, and/or intimidation of any person or persons involved in the conduct process prior to, during, or after any college conduct proceeding.
- (8) Failure to comply with the sanction(s) imposed under the student code of conduct.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-208, filed 5/25/16, effective 6/25/16.]

132S-100-210

Destroying or damaging property.

Intentional and/or reckless damage to or misuse of college-owned or controlled property, or the property of any person where such property is located within college owned or controlled premises or at college-sponsored functions.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-210, filed 5/25/16, effective 6/25/16.]

132S-100-213

Discrimination.

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

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-213, filed 5/25/16, effective 6/25/16.]

132S-100-215

Disorderly conduct.

Includes, but is not limited to, the following:

- (1) Obstruction of teaching, administration, or other college activities, including its public service function on- or off-campus, or of other authorized noncollege activities when the conduct occurs on college premises or at college-sponsored functions.
- (2) Material and substantial interference with the personal rights or privileges of others or of the educational process of the college.
- (3) Lewd or indecent conduct, breach of peace, or aiding, abetting, or procuring another person to breach the peace on college premises or at functions sponsored, or participated in, by the college or members of the academic community.
- (4) Unauthorized use of electronic or other devices to make an audio or video recording of any person while on college premises without their prior knowledge, or without their effective consent, when such a recording is likely to cause injury or distress. This includes, but is not limited to, covertly taking pictures of another person in a gym, locker room, or restroom.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-215, filed 5/25/16, effective 6/25/16.]

132S-100-220

Disruption.

Includes, but is not limited to, the following:

(1) Participating in an on- or off-campus demonstration, riot, or any activity that disrupts the normal operations of the college and/or infringes on the rights of other members of the college community.

(2) Intentionally and/or recklessly inciting others to engage in any prohibited conduct as defined herein, when incitement may lead to such conduct.

(3) Obstruction of the free flow of pedestrian or vehicular traffic on college premises or at college-sponsored or supervised functions.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-220, filed 5/25/16, effective 6/25/16.]

132S-100-225

Drugs and drug paraphernalia.

Use, possession, manufacture, or distribution of marijuana, narcotics, or other controlled substances, and drug paraphernalia except as permitted by federal, state, and local law.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-225, filed 5/25/16, effective 6/25/16.]

132S-100-230

Falsehoods and misrepresentations.

Includes, but is not limited to, the following:

(1) The intentional making of false statements and/or knowingly furnishing false information to any college official, faculty member, or office.

(2) Forgery, alteration, or misuse of any college document, record, fund, or instrument of identification with the intent to defraud.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-230, filed 5/25/16, effective 6/25/16.]

132S-100-235

Hazing.

Any method of initiation into a student club or organization, or any pastime or amusement engaged in with respect to such a group or organization that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student or other person attending the college as described in Washington statute, RCW [28B.10.900](#).

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-235, filed 5/25/16, effective 6/25/16.]

132S-100-240

Insubordination.

Failure to comply with the direction of college officials, campus security officers, or law enforcement officers acting in the legitimate performance of their lawful duties and/or failure to properly identify oneself, provide evidence of student enrollment and/or proper identification to these persons when requested to do so.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-240, filed 5/25/16, effective 6/25/16.]

132S-100-245

Liquor.

Consuming, possessing, furnishing, or selling of alcoholic beverages and/or being under the influence of any alcoholic beverage is prohibited on college premises or at college-sponsored or supervised events except as a participant of legal age in a

student program, banquet, or educational program which has the special written authorization of the college president or their designee. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person under the state alcohol legal drinking age.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-245, filed 5/25/16, effective 6/25/16.]

132S-100-250

Misuse of equipment and technology.

Misuse of the college's computer, telecommunications, or electronic technology, facilities, or equipment which includes, but is not limited to:

- (1) Unauthorized entry into a file to use, read, or change the contents, or for any other purpose.
- (2) Unauthorized transfer of a file.
- (3) Use of another individual's credentials or password or allowing someone else to use your own credentials and password.
- (4) Copyright violations.
- (5) Use of the college's computer, telecommunications, or electronic technology facilities and resources:
 - (a) That interferes with the work of another student, faculty member, or college official.
 - (b) To send obscene or abusive messages.
 - (c) For personal profit, advertisement, or illegal purposes.
 - (d) For purposes other than those necessary to fulfill an assignment or task as part of the student's program of instruction.
 - (e) To engage in any of the prohibited actions and behaviors listed within the acceptable use of information technology resources policy.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-250, filed 5/25/16, effective 6/25/16.]

132S-100-255

Safety misconduct.

Intentionally initiating or causing to be initiated any false report, warning, or threat of fire, explosion, or other emergency on college premises or at any college-sponsored activity, or falsely setting off or otherwise tampering with any emergency safety equipment, alarm, or other device established for the safety of individuals and/or college facilities.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-255, filed 5/25/16, effective 6/25/16.]

132S-100-260

Sexual misconduct.

Engaging in nonconsensual sexual intercourse or nonconsensual sexual contact, requests for sexual favors, or other verbal or physical conduct of a sexual nature where such behavior offends a reasonable, orderly, prudent person under these circumstances. This includes, but is not limited to:

- (1) Sexual activity or contact for which clear and voluntary consent has not been given in advance.
- (2) Sexual activity with someone who is incapable of giving valid consent because, for example, they are underage, sleeping or otherwise incapacitated due to alcohol or drugs.
- (3) Sexual harassment, which includes 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.
- (4) Sexual violence which includes, but is not limited to, sexual assault, domestic violence, intimate violence, and sexual- or gender-based stalking.
- (5) Nonphysical conduct such as sexual- or gender-based cyberstalking, sexual- or gender-based online harassment, sexual- or gender-based cyberbullying, nonconsensual recording of a sexual activity, and nonconsensual distribution of a recording of a sexual activity.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-260, filed 5/25/16, effective 6/25/16.]

132S-100-265

Theft.

The unauthorized taking or removing of college-owned or operated property or of another's property with the intent of depriving the owner of the property.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-265, filed 5/25/16, effective 6/25/16.]

132S-100-270

Trespass or unauthorized presence.

Entering or remaining unlawfully on college premises, as defined by state law. Using college premises, facilities, or property without authority and/or unauthorized possession, duplication or use of keys to any college premises.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-270, filed 5/25/16, effective 6/25/16.]

132S-100-275

Weapons.

Possession of weapons (e.g., firearms, daggers, swords, knives or other cutting or stabbing instruments, clubs) or substances (e.g., explosives) apparently capable of producing bodily harm and/or damage to real or personal property is prohibited on or in college-owned or operated facilities and premises and/or during college-sponsored events.

(1) Carrying of firearms on or in college-owned or operated facilities and/or during college-sponsored events is prohibited except and unless the firearm is registered with the campus security department for a specified period of time.

(2) The aforementioned regulations shall not apply to equipment or materials owned, used or maintained by the college; nor will they apply to law enforcement officers or campus security officers acting in the legitimate performance of their lawful duties.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-275, filed 5/25/16, effective 6/25/16.]

132S-100-280

Academic dishonesty.

Academic dishonesty includes, but is not limited to, cheating, plagiarism, and fabrication or falsification of the information, research, or other findings for the purpose of fulfilling any assignment or task as part of the student's program of instruction. Any student who commits or aids and abets the accomplishment of an act of academic dishonesty will be subject to disciplinary action.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-280, filed 5/25/16, effective 6/25/16.]

132S-100-285

Classroom misconduct.

Being disorderly or disruptive, where such behavior makes it difficult or impossible to continue with the normal functions of the class/program. Bringing any person or object to a teaching and learning environment that may disrupt the environment or cause a safety or health hazard, without the approval of the instructor or other authorized official, is expressly prohibited.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-285, filed 5/25/16, effective 6/25/16.]

132S-100-290

Violation of law.

Conduct which would constitute a violation of any federal, state, or local law. When traveling abroad, international law will apply.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-290, filed 5/25/16, effective 6/25/16.]

132S-100-295

Violation of college policy, rule, or regulation.

Violation of any college policy, rule, or regulation published electronically on the college web site or in hard copy.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-295, filed 5/25/16, effective 6/25/16.]

132S-100-300

Responsibility for guests.

A student or student organization is responsible for the conduct of guests on or in college property and at functions sponsored by the college or sponsored by any recognized college organization.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-300, filed 5/25/16, effective 6/25/16.]

132S-100-305

Student clubs and organizations.

Any student club or organization shall comply with the student code of conduct. When a member or members of a student club or organization violates the student code of conduct, the members and/or individual member may be subject to appropriate sanctions authorized by this student code of conduct.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-305, filed 5/25/16, effective 6/25/16.]

132S-100-310

Violation of law and college discipline.

College disciplinary proceedings may be instituted against a student charged with conduct that potentially violates the criminal law and this student code (that is, if both possible violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this student code of conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the SCO. Determination made or sanctions imposed under this student code of conduct will not be subject to change because criminal charges arising out of the same facts giving rise to violation of college rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-310, filed 5/25/16, effective 6/25/16.]

132S-100-400

Student conduct process.

(1) Initiation of disciplinary action. A request for disciplinary action of a student for violation(s) of the student code of conduct must be made in writing or in person to the SCO as soon as possible but no later than thirty instructional days after the occurrence or the date the requestor knew or should reasonably have known of the occurrence. The choice to pursue a request for disciplinary action that is submitted after thirty instructional days of the occurrence will be subject to the discretion of the SCO. Any member of the college's administration, faculty, staff, or any student or nonstudent may make such a request and it must be a good faith claim. The SCO may decline the request, implement the request, refer the case to the SCB, or engage in informal negotiations to resolve the situation based on the allegation(s) and the evidence that has been provided. If the SCO is subject of a complaint initiated by the

respondent, the vice-president for student services shall, upon request and when feasible, designate another person to fulfill any such disciplinary responsibilities relative to the request for disciplinary action.

(2) Notification requirements. Once the SCO has decided to begin the investigation process for the request of disciplinary action, the student will be sent a notice to appear for a disciplinary meeting with the SCO. A written notice to appear will be hand delivered or sent by certified mail to the most recent address in the student's record on file with the college, no later than fifteen instructional days after the decision is made to proceed with an investigation. The notice will not be ineffective if presented later due to the student's absence. Such notice will:

(a) Inform the student that a report has been filed alleging the student violated the student code of conduct.

(b) Set forth those provisions of the student code of conduct and the specific acts which are alleged to be violations, as well as the date(s) of the violation(s).

(c) Specify the time, date, and location where the student is required to meet with the SCO. The meeting will be scheduled no earlier than three instructional days, but within thirty instructional days of the date on the notice to appear sent to the student. The SCO may modify the time, date, and location of the meeting, either at the student's or college's request, for reasonable cause.

(d) Inform the student that failure to appear at the appointed time and place will not stop the disciplinary process and may result in a transcript/registration hold being placed onto the student's account, and the student receiving disciplinary sanctions, which could include suspension or expulsion from the college.

(e) Inform the student that they may bring an advisor or representative to the meeting with them. The advisor or representative cannot be a college employee.

(3) Student conduct meeting.

(a) When meeting with the SCO, the student will be informed of the following:

(i) The provision(s) of the rules of the student code of conduct or college policy that they are charged with violating;

(ii) The disciplinary process;

(iii) The range of sanctions which might result from the disciplinary process;

(iv) The student's right to appeal.

(b) The student will have the opportunity to respond to the allegation(s) by providing the information to the SCO about their involvement, if any, in the alleged violation(s), explaining the circumstances surrounding the violation(s), and/or defending themselves against the allegations. If the student chooses to have an advisor or representative present at the meeting, the SCO will allow the advisor or representative to make a brief statement.

(c) The advisor or representative is allowed to assist the student with the process. Any questions that are made by the advisor or representative will be addressed through the discretion of the SCO. Any disruptions or failure to follow the conduct process and/or directions made by the SCO may result in the advisor or representative being removed from the meeting.

(4) Decision by the SCO.

(a) After interviewing the student or students involved and/or other individuals as appropriate, and after considering the evidence in the case, the SCO may take any of the following actions:

(i) Terminate the proceedings and thereby exonerate the respondent;

(ii) Impose disciplinary sanctions as provided herein;

(iii) Refer the matter to the SCB for appropriate action.

(b) Notification of the decision by the SCO will be hand delivered to the student or sent by mail to the most recent address in the student's record on file with the college, within thirty instructional days of the meeting. A copy of the notification will be filed with the office of the SCO.

(c) Disciplinary action taken by the SCO is final unless the student exercises the right of appeal.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-400, filed 5/25/16, effective 6/25/16.]

132S-100-405

Student conduct board process.

The SCB will hear, de novo, all disciplinary cases referred to the committee by the SCO.

(1) The respondent and the SCO will be sent written notification within fifteen instructional days from the date the committee received the referral from the SCO. The notification will contain the following:

(a) The time, date, and location of the hearing;

(b) The specific violation(s) alleged against the student;

(c) The SCB procedures;

(d) The names of the members of the acting SCB.

(2) The respondent and complainant has the right to be assisted by one advisor or representative of their choice and at their own expense. The advisor must be someone who is not employed by the college. If the respondent chooses to have an attorney serve as their advisor, the student must provide notice to the SCB no less than five instructional days prior to the hearing. The SCB hearing will not be delayed due to the scheduling conflicts of an advisor and such requests will be subject to the discretion of the SCB chairperson.

The respondent and/or complainant are responsible for presenting their own information, and therefore, during the hearing, advisors are not permitted to address the SCB, witnesses, the SCO, or any party or representative invited by the parties to the hearing, or to participate directly in any college conduct hearing. An advisor may communicate with their advisee and recesses may be allowed for this purpose at the discretion of the SCB chair.

(3) The SCB and respondent will be accorded reasonable access to the case file that will be retained by the SCO.

(4) Any SCB member who has a personal relationship, personal interest, or other interest which would prevent that person from rendering a fair and impartial decision must recuse themselves from the case. They will be replaced by another SCB member if possible.

A respondent may request in writing to the SCB chairperson no less than five instructional days prior to the hearing that a SCB member recuse or disqualify themselves. The request must be for good cause, which must be shown by the respondent. In the event of such a request, the SCB will consider the request prior to the time schedule for the hearing and will decide whether the SCB member should be disqualified for that hearing.

(5) The parties involved in the hearing will be requested to submit their witness list and any documentary evidence to be discussed at the hearing to the SCB chairperson no less than five instructional days prior to the hearing. The respondent is allowed a maximum of three character witnesses to appear on their behalf. A written statement from each witness regarding their involvement with the case must be turned in with the witness list submitted by the respondent or the witness will not be allowed to participate.

(6) Hearings will be closed to the public except if requested by the respondent and at the discretion of the SCB chairperson. At all times, however, all parties, their advisors, the witnesses, and the public will be excluded during the deliberations of the SCB.

(7) The SCO may request a special presiding officer to the SCB in complex cases. In these circumstances the special presiding officer will act as the chairperson of the hearing. The president must approve this request.

(8) The chairperson will exercise control over the hearing to avoid needless consumption of time and to prevent the harassment or intimidation of witnesses. Any person, including the respondent who disrupts a hearing or who fails to adhere to the rulings of the chairperson may be excluded from the proceedings and may be subject to disciplinary action.

(9) Questions suggested by the respondent and/or complainant to be answered by each other or by other witnesses must be made in writing to the SCB chair. The chair, if appropriate and at their sole discretion, will read the question to the individual it is directed to. Questions related to the order of the proceedings are subject to the final decision of the chair and the SCB.

(10) Formal rules of evidence and procedure will not be applicable in disciplinary proceedings conducted pursuant to this student code of conduct. The chairperson will admit all matters into evidence which reasonable persons would accept as having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded.

(11) In order that a complete record of the proceeding can be made to include all evidence presented, hearings will be recorded or transcribed except for the deliberations of the SCB. The record will be the property of the college.

(12) After considering the evidence in the case, the SCB will decide by majority vote whether to terminate the proceedings, thereby exonerating the respondent, or impose disciplinary sanctions as set forth herein.

(13) The SCB's decision is made on the basis of a "preponderance of the evidence" standard of proof, that is, whether it is more likely than not that the respondent violated the student code of conduct.

(14) If the respondent is found responsible for any of the charges brought against them, the SCB may, at that time consider the student's past disciplinary record in determining an appropriate sanction.

(15) The decision of the SCB must include a written summary in sufficient detail to permit appellate review of the violations alleged, testimony and evidence, and conclusions. Decisions of the SCB will be delivered, within thirty instructional days, to the respondent personally or sent by mail to the student's most recent address on file with the college, and a copy filed with the office of the SCO.

(16) Disciplinary action taken by the SCB is final unless the respondent exercises the right of appeal as provided herein.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-405, filed 5/25/16, effective 6/25/16.]

132S-100-410

Academic dishonesty process.

Academic dishonesty minimizes the learning process and threatens the learning environment for all students. As members of the CBC learning community, students are not to engage in any form of academic dishonesty.

(1) The class instructor is responsible for handling each case of academic dishonesty in the classroom and for determining a penalty grade as outlined in the course syllabus.

(2) If, within the instructor's professional judgment, reasonable evidence would suggest a student engaged in academic dishonesty, the instructor will provide notice to the student, either written or verbal, of their assertion of academic dishonesty and of the academic penalty grade within thirty instructional days of the occurrence or when the instructor is made aware of the occurrence.

(3) The instructor will submit a report of the assertion of academic dishonesty, the explanation of the notice or actual notice given to the student and a copy of all applicable evidence to the SCO. At this time, the instructor can request that the incident only

be documented with the SCO unofficially, or they can officially refer the matter for disciplinary action. If the student has a previous academic dishonesty record, then the SCO can choose to move forward with the disciplinary process without an official referral. [Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-410, filed 5/25/16, effective 6/25/16.]

132S-100-415 Appeal process.

A decision by the SCO, SCB, and/or SAB can be appealed if a written request to appeal is received by the SCO within fifteen calendar days of notification of the SCO, SCB, or SAB's decision. Failure to file a written appeal within the time period specified will result in the decision(s) becoming final with no further right of appeal.

(1) The notice of appeal must include a brief statement explaining why they are seeking review and must assign error to specific findings of fact and/or conclusions of law in the initial order and must contain argument regarding why the appeal should be granted.

A respondent, who timely appeals a disciplinary action, has a right to a prompt, fair, and impartial appeals review as provided for in these procedures.

(2) Imposition of the discipline for violation of the student code of conduct shall be stayed pending appeal, unless the respondent has been issued an interim restriction or interim suspension.

(3) The SAB will be convened in private to review all appeals submitted within the appropriate time frames to the SCO. Their appeal decision will be personally delivered or mailed to the respondent within fifteen instructional days of receiving the appeal from the SCO.

(a) If the respondent and/or complainant wish to explain their views of the matter to the SAB they shall be given an opportunity to do so in writing.

(b) The SAB may not take any action less favorable to the respondent(s), unless notice and an opportunity to explain the matter is first given to the respondent(s). In such cases, the decision notification time frame will be adjusted to thirty instructional days, to allow the respondent time to meet with the SAB.

(c) The SAB shall review the verbatim record of the meeting with the SCO and/or SCB hearing and all information provided by the parties to make a determination to affirm, reverse, or modify the SCO or SCB's decision, and/or affirm, reverse, or modify the sanctions imposed by the SCO or SCB's decision.

(4) An appeal is limited to a review by the SAB for one or more of the following purposes:

(a) To determine if the proceedings were conducted fairly in light of the charges and information presented, and in conformity with proscribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the student code of conduct was violated, and giving the respondent a reasonable opportunity to prepare and to present a response to those allegations. Deviation from designated procedures are not a basis for sustaining an appeal unless significant prejudice results.

(b) To determine whether the decision reached regarding the respondent was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the student code of conduct occurred under the preponderance of evidence standard of proof.

(c) To determine whether the sanction(s) imposed were appropriate for the violation of the student code of conduct which the student was found to have committed.

(d) To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original meeting with the SCO or SCB hearing.

(5) Appeals of disciplinary action(s) will be taken in the following order:

(a) Disciplinary decisions and action taken by the SCO or SCB may be appealed by the respondent to be reviewed by the SAB.

(b) Disciplinary decisions and action taken by the SAB may be appealed by the respondent to be reviewed by the college president.

(c) The president will send notification to the respondent of their decision on the appeal within fifteen instructional days after filing an appeal with the SCO. The president shall make determinations based on the following:

(i) Affirm, reverse, or modify the SAB's decision;

(ii) Affirm, reverse, or modify the sanctions imposed by the SAB's decision; and

(iii) The president's decision is final.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-415, filed 5/25/16, effective 6/25/16.]

132S-100-420

Sexual misconduct procedures.

(1) The college's Title IX coordinator or their designee, shall investigate complaints or other reports of alleged sexual misconduct by a student. Investigations will be completed in a timely manner and the substantiated results of the investigation shall be referred to the acting SCO for disciplinary action.

(2) 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.

(3) 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.

(4) Both the respondent and the complainant in cases involving allegations of sexual misconduct shall be provided the same procedural rights to participate in the student discipline matters, including the right to participate in the initial disciplinary decision-making process, to simultaneously receive all notification of the SCO, SCB, SAB, or president's decision, and to appeal any disciplinary decision from the SCO, SCB, or SAB.

(5) 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 [132S-100-400](#) through [132S-100-405](#). In the event of conflict between the sexual misconduct procedures and the student disciplinary procedures, the sexual misconduct procedures shall prevail.

(6) The SCO, 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.

(7) The SCO or SCB chairperson, 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 their appeal rights. If protective sanctions and/or conditions are imposed, the SCO shall make a reasonable effort to contact the complainant to ensure prompt notice of the protective disciplinary sanctions and/or conditions.

(8) The SCO, the Title IX coordinator officer and any participating members of the SCB or SAB that are involved with cases alleging sexual misconduct receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and learn how to conduct an investigative process that protects the safety of victims and promotes accountability.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-420, filed 5/25/16, effective 6/25/16.]

132S-100-425

Appeal process for complainants of sexual misconduct.

(1) The following actions by the SCO, SCB, or SAB may be appealed by the complainant:

(a) Dismissal of a sexual misconduct complaint; or

(b) Disciplinary sanction(s) and condition(s) imposed against a respondent for a sexual misconduct violation, including a disciplinary warning and/or documentation only.

(2) A complainant may appeal a disciplinary decision by filing a notice of appeal in writing to the SCO within fifteen days of receiving notification of the disciplinary decision. 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.

(3) 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.

(4) Except as otherwise specified in this 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.

(5) If the complainant appeals the SAB's decision, the appeal will be reviewed by the president or their designee subject to the same procedures and deadlines applicable to other parties.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-425, filed 5/25/16, effective 6/25/16.]

132S-100-430 Sanctions.

The following sanctions may be imposed upon any student found to have violated the student code of conduct:

- (1) Warning. A verbal statement or notice in writing to the respondent that they are violating or have violated college rules or regulations and that continued violations may be the cause for further disciplinary action.
- (2) Reprimand. Notice in writing that the respondent has violated one or more of the policies outlined in the student code of conduct and that continuation of the same or similar behavior may result in more severe disciplinary action.
- (3) Loss of privileges. Denial of specified privileges for a designated period of time.
- (4) Restitution. An individual student may be required to make restitution for damage, loss, or injury. This may take the form of appropriate service and/or monetary or material replacement. Failure to make restitution within thirty days or any period set by the SCO, SCB, SAB, or president will result in suspension for an indefinite period of time as set forth in subsection (7) of this section, provided that a student may be reinstated upon payment or upon a written agreed plan of repayment. Failure to strictly comply with the terms of a repayment plan will result in immediate suspension.
- (5) Discretionary sanctions. Work assignments, essays, service to the college, or other related discretionary assignments.
- (6) Disciplinary probation. Formal action placing conditions upon the student's continued attendance for violations of college rules or regulations or other failure to meet the college's expectations within the student code of conduct. Written notice of disciplinary probation will specify the period of probation and any condition(s) upon which his/her continued enrollment is contingent. Such conditions may include, but not be limited to, adherence to terms of a behavior contract or limiting the student's participation in extra-curricular activities or access to specific areas of the college's facilities. Disciplinary probation may be for a specified term or for an indefinite period which may extend to graduation or other termination of the student's enrollment in the college.
- (7) Suspension. Separation of the student from the college for a definite period of time, after which the student is eligible to return. Students who are suspended may be denied access to all or any part of the campus or other facilities during the duration of the period of suspension. Additionally, conditions for readmission may be specified.
- (8) Expulsion. Permanent separation of the student from the college. Students who are expelled may be denied access to all or any part of the campus or other facilities permanently.
- (9) Revocation of admission and/or degree. Admission to or a degree awarded from the college may be revoked for fraud, misrepresentation, or other violation of college standards in obtaining admission or the degree, or for other serious violations committed by a student prior to graduation. Revocation of a degree must be approved by the board of trustees.
- (10) Withholding degree. The college may withhold awarding a degree otherwise earned until the completion of the process set forth in the student code of conduct, including the completion of all sanctions imposed, if any. Withholding a degree must be approved by the board of trustees.
- (11) 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. 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 student code of conduct.
- (12) Delayed suspension. A probationary amount of time set by the SCO, SCB, SAB, or president in which the student must remain on good terms with the student code of conduct. If the student is found responsible for violating the student code of conduct while still under the delayed suspension guidelines, then the student will be suspended, as set forth in subsection (7) of this section, for their next violation of the student code of conduct.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-430, filed 5/25/16, effective 6/25/16.]

132S-100-435 Interim measures.

- (1) If there is cause to believe that a student or student organization poses an imminent threat to themselves, itself, to others, or to property, immediate action may be taken pending an investigation by the SCO. The SCO may take one or more of the following interim actions:
 - (a) Interim restrictions. A student may be restricted from college-owned or operated property and/or events.
 - (b) Interim suspension. A student may be suspended pending investigation, action, or prosecution.
- (2) Permission to enter or remain on campus. During the period of interim measures, the student will not enter the college or any facility under the operation of the college other than to meet with the SCO or to attend the hearing. However, the SCO may grant the student special permission to enter the campus for the express purpose of meeting with faculty, staff, or students in preparation for the hearing or to participate in the Title IX process.
- (3) Notice of interim measure proceedings. If the SCO finds it necessary to exercise the authority to evoke interim measures, they will give the student notice, orally or in writing, stating;

- (a) The time, date, place, and nature of the alleged misconduct.
 - (b) The evidence in support of the charge(s).
 - (c) The corrective action or punishment which may be imposed against the student.
 - (d) The possibility that anything the student says to the SCO may be used against the student.
 - (e) The student's right to either accept the disciplinary action or, within three instructional days following receipt of the above notification, file at the office of the SCO a written request for a review of the interim measure by the SAB. If the request is not filed within the prescribed time, it will be deemed as waived.
 - (f) Conduct meeting. The meeting will be accomplished according to the procedures set forth in this document and no later than ten instructional days after the actions is taken unless the interim measures are related to a Title IX investigation, in which the conduct meeting will follow the referral of the Title IX coordinator officer upon completion of their investigation. Failure by the student to appear at the conduct meeting will result in the SCO suspending the student from the college.
- [Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-435, filed 5/25/16, effective 6/25/16.]

132S-100-500

Records of disciplinary action.

(1) Records of all disciplinary cases will be kept by the office of the SCO. Except in proceedings wherein the student is exonerated, all documentary proceedings and all recorded testimony will be preserved insofar as possible for at least seven years. No record of proceedings wherein the student is exonerated, other than the fact of exonerated, will be maintained in the student's file or other college repository after the date of the student's graduation or for one calendar year.

(2) The office of the SCO will keep accurate records of all disciplinary actions taken by, or reported to, that office. Such recordings will be placed in the student's disciplinary records. The SCO is responsible for ordering the removal of any notations of any disciplinary action on the student's record. A student may petition the SCO for removal of such a notation at any time.

(3) The Family Educational Rights and Privacy Act (FERPA) provides that an educational institution may notify a student's parent or legal guardian if the student is under the age of twenty-one and has violated a federal, state, or local law involving the use or possession of alcohol or a controlled substance.

[Statutory Authority: RCW [28B.50.140](#). WSR 16-12-039, § 132S-100-500, filed 5/25/16, effective 6/25/16.]