



# NORTH SEATTLE COLLEGE

## **ANNUAL SECURITY AND FIRE SAFETY REPORT 2020**

This annual report contains the crime statistics for 2019, 2018, and 2017

This publication is available in alternative format upon request. The College is committed to equal access to programs, facilities, admission, and employment for all persons. It is the policy of the College to maintain an environment free of harassment and free of discrimination against any person because of age, race, color, ancestry, national origin, religion, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, marital or family status, pregnancy, pregnancy-related conditions, physical or mental disability, gender, perceived gender, gender identity, genetic information, or political ideas. Discriminatory conduct and harassment, as well as sexual misconduct and relationship violence, violates the dignity of individuals, impedes the realization of the College's educational mission, and will not be tolerated. Direct all inquiries regarding the nondiscrimination policy to the Director of Human Resources, North Seattle College, 9600 College Way North, Seattle, WA. 98103. Tel (206) 934-4710.



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# Mission Statement

## Our Mission

North Seattle College is committed to changing lives through education.

We achieve our mission by:

- offering comprehensive educational opportunities.
- creating a highly supportive learning environment.
- engaging in effective and enduring partnerships.

## Our Vision

North Seattle College is a progressive educational resource, actively engaged with its community, and known for innovation and responsiveness.

## Our Values

In promoting continuous learning and growth, we practice:

- *Caring*
- *Collaboration*
- *Diversity*
- *Innovation*
- *Integrity*
- *Quality*

## Our Core Themes

All that we do is focused on three Core Themes.

- *Advancing Student Success*
- *Excelling in Teaching and Learning*
- *Building a Sustainable Community*

## Essential Learning Outcomes

North Seattle College serves a diverse student population with a wide variety of educational backgrounds and goals. As a learning community, we foster and promote the following outcomes:

**Inquiry** based on information accessed through ethical research.

**Problem Solving** using critical and creative thinking, quantitative and qualitative reasoning, information literacy, and disciplinary and cross-disciplinary knowledge.

**Communication** in oral, written, and artistic modes of expression, individually and in collaboration with others.

**Responsibility** for understanding and integrating intercultural competence, practicing ethical reasoning and conduct, applying sustainability principles, and demonstrating respect for self and others.

## **Message from the Campus Safety and Security Department**

Campus security at North Seattle College has evolved throughout the years. It is our goal to maintain a safe environment that is conducive to productive learning and working. Our Department is staffed with trained security professionals that respond to incidents on campus while also serving as a friendly, helpful resource for students, faculty, and the general public.

Much of this work is accomplished through fostering partnerships with our campus community as security is everyone's business. It is also important that our department strives to maintain transparency, and we hope to accomplish this through the dissemination of our Annual Security and Fire Safety Report (Clery Report).

This Report provides information about the role of the Campus Safety and Security Department and how to report crimes, victim assistance services, policies on sexual harassment, the issuance of timely warnings, emergency notification, crime statistics, and other safety and security information. This report is prepared to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act 20 U.S.C. § 1092(f) that was signed into law in 1990. The data provided in this report was collected directly by campus security and other college offices. This report also contains information provided by the Seattle Police Department and Campus Security Authorities.

All the statistics are gathered, compiled, and reported to the College community via this report, which is published by the North Seattle College Campus Safety and Security Department. The Campus Safety and Security Department submits the annual crime statistics published in this brochure to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

## **Preparation of the Annual Security and Fire Safety Report**

North Seattle College publishes its Annual Security & Fire Safety Report each year, on or before October 1st, in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The Campus Safety and Security Department, in cooperation with several other offices at the College, publishes this Report.

NSC's Clery Coordinator is responsible for requesting and collecting the annual crime statistics from several sources, including records of crimes reported to and in the possession of NSC's Campus Safety and Security Department, local law enforcement, and Campus Security Authorities.

Campus partners contribute information related to the policy disclosures in this Report. These partners include the Department of Campus safety and Security, the Vice President of Student Services, the Title IX Investigator and others.

The Annual Security & Fire Safety Report is prepared by the Clery Coordinator and is reviewed by NSC administrators.



Note: at NSC, the Director of Campus Safety and Security is designated as the campus Clery Coordinator.

On or before October 1st annually, the Public Information Officer disseminates a Notice of the Availability of the ASFSR, with a direct link to the report, through a mass email sent to all current students, faculty, and staff. The ASFSR is published on the Department of Public Safety website at [https://webshares.seattlecolleges.edu/webshares/general/safety\\_and-security/2020-Annual-Security-Report.pdf](https://webshares.seattlecolleges.edu/webshares/general/safety_and-security/2020-Annual-Security-Report.pdf).

Prospective students are provided notice of the ASFSR's availability through the posting of a Notice of Availability of the ASFSR, with a direct link to the Report on the admissions websites for undergraduate, and certificate programs.

Prospective employees are provided notification of how to access the ASFSR through a Notice of Availability of the ASFSR with a direct link on NSC employment websites and at the bottom of individual job postings.

Please review the information in this report to become familiar with the programs and services provided by the College so you may become involved as a responsible member of our community. Working together, the campus community, Campus Safety, the Seattle Police Department (SPD) and campus partners will endeavor to keep the NSC community safe.

The College is fully committed to meeting its obligations to comply with federal law and guidance that governs the counting and disclosing of crime reports in the ASFSR. This includes the requirement that the College include in its crime report statistics the number of all reported offenses, without regard to the findings of a court, coroner, jury, or prosecutor. It is not necessary for the crime to have been investigated by the police or a campus security authority, nor must a finding of guilt or responsibility be made to include the reported.

Note: Based on the impact of COVID-19, the Department of Education set December 31, 2020 as the final date for distribution of the 2020 Annual Security and Fire Safety Report.

## **How to Obtain the Annual Security & Fire Safety Report**

The 2020 Annual Security & Fire Safety Report (ASFSR) is available on the Department of Campus Safety and Security website at:  
[https://webshares.seattlecolleges.edu/webshares/general/safety\\_and-security/2020-Annual-Security-Report.pdf](https://webshares.seattlecolleges.edu/webshares/general/safety_and-security/2020-Annual-Security-Report.pdf).

The ASFSRs for calendar years 2018 and 2017 are also available for viewing or download on the website. The ASFSR's are published as PDFs and can be viewed and or printed using Adobe Acrobat Reader, which is free and can be downloaded from <https://get2.adobe.com/reader/othersversions/>.

Individuals may request a free paper copy of the 2020 ASFSR, or any prior year's report through any of the following means:

- In person at the front desk of Campus Safety and Security Department located at 9600 College Way North, Room CC1252, Seattle, WA 98103;
- By written request addressed to: Campus Safety and Security Department located at 9600 College Way North, Room CC1252, Seattle, WA 98103; or,
- By email to [campussafety@seattlecolleges.edu](mailto:campussafety@seattlecolleges.edu); or by calling (206) 934-3636.

This report provides statistics for the previous three years (2019, 2018, 2017) concerning reported crimes that occurred on or adjacent to the campus property, as well any property owned, leased or controlled by North Seattle College.

## About Campus Security

North Seattle College maintains a Campus Safety and Security Department that is staffed by five (5) full-time Campus Security Officers (CSO), and five (5) part-time CSOs. The College may deploy a Campus Security Sergeant (CSS). Campus Security Officers and Campus Security Sergeants are not deputized or commissioned law enforcement officers and have no power to enforce the law or powers of arrest. They do have the authority to enforce campus rules/policies.

The patrol jurisdiction of Security Officers is limited to any building or property owned or controlled by Seattle Colleges. Patrols are conducted to serve as a visual deterrent to criminal activity while also serving as a valuable resource to our campus community and the public. Services provided by the Campus Safety and Security Department include crime prevention presentations, lost and found services, access control management, incident response, physical security, and safety escorts for students, faculty, and staff.

Employees of this department are representatives of the college. Campus Security Officers and Campus Security Sergeants have limited authority (non-police) as representatives of the property owner, the State of Washington. They have authority to request identification from any person suspected of violating local, state or federal laws. Additionally, if any of those laws are violated on campus, or the person(s) have violated the College's Rules and Regulations, Campus Security Officers can direct the person to stop the prohibited conduct.

Employees **are not** authorized to use force against anyone. The only exception would be for an officer/employee to defend themselves.

Department Employees **are not** authorized to use any force, however minimal, to detain a person against their will or to stop a suspect from a violation of the law.

When the Campus Safety Officer believes a crime has been committed and knows who the suspect(s) are, the CSO/CSS will contact law enforcement and advise them of the situation. The CSO/CSS **shall not** make the arrest. Arrest responsibility rests with sworn law enforcement.

## Working Relationships with Other Law Enforcement Agencies

North Seattle Campus Security maintains a close working relationship with the Seattle Police Department (SPD). Campus Security staff occasionally work with other law enforcement agencies in Seattle and King County, including the King County Sheriff's Office and Washington State Patrol. Meetings are held with these agencies on both a formal and informal basis when necessary. North Seattle CSOs/CSSs and SPD communicate regularly on the scene of incidents that occur in and around the campus area. The Director of Campus Safety and Security works closely with SPD Detectives when incidents arise that require joint investigative efforts, resources, crime reports and exchanges of information.

There is a written memorandum of understanding between North Seattle College and the Seattle Police Department. It is titled "Interlocal Cooperation Agreement to Provide Mutual Aid and Mobilization between the Seattle College District VI and the City of Seattle, Washington, and the Seattle Police Department." The agreement was established on June 12, 2009.

## How to Contact Campus Security

1. If you are reporting a life/death or medical emergency, please first call **9-1-1** and then Campus Security at 206-934-3636.
2. Call 206-934-3636 for on-campus non-emergencies or to report suspicious activity on campus owned/operated property.

## Reporting Crimes and Emergencies to Campus Security

We encourage all members of the College community to accurately and promptly report potential criminal activity, suspicious behavior, and any emergencies on campus, on public property running through or immediately adjacent to the campus to the Campus Security Department by calling 206-934-3636. During emergencies, call 9-1-1 first.

The Campus Security office is located at 9600 College Way North, College Center (CC) Building, Room 1252. Although many resources are available, the Campus Security Department should be notified of any crime or potential crime, whether an investigation occurs, to assure the College can assess any and all security concerns and inform the community if there is a significant threat to the College community.

- **Anonymously** - If you are interested in reporting a crime anonymously, you can call the Campus Security Office at 206-934-3636 and you do not have to identify yourself. It is our policy to attempt not to trace the origin of the person who makes an autonomous report, unless such is deemed necessary for safety. You can also submit tips through Washington Crime Stoppers at 1-800-222-8477.
- **Reporting to Other Campus Security Authorities** - While the College prefers that

community members promptly report all crimes and other emergencies directly to Campus Security at 206-934-3636 or the Seattle Police Department at 9-1-1 for crimes in progress, we also recognize that some may prefer to report to other individuals or College offices. The Clery Act recognizes certain College officials and offices as "Campus Security Authorities (CSA)." The act defines these individuals as "officials of an The College who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the College."

While the College has identified several CSAs at North Seattle College, we officially designate the following offices as places where campus community members should report crimes for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary.

Director  
Campus Safety and Security Department  
9600 College Way North, CC Room 1252  
Seattle, WA 98103  
206.934.3636

Vice President for Student Services  
9600 College Way North, CC Room 2354A  
Seattle, WA 98103  
206.934.3669

Human Resources Director  
9600 College Way North, CC Room 2153 E  
Seattle, WA 98103  
206.934.4710

In response to a request for security, the Campus Security Office may dispatch a Campus Security Officer or Sergeant, contact the Seattle Police Department or Seattle Fire Department, request the victim make a police report, or take other action as appropriate. The Seattle Police Department will be the investigating agency for all misdemeanor and felony matters on North Seattle College owned/operated property.

Note: All Campus Security incident reports are forwarded to the Office of Student Life for review and referral to the Dean of Students Office for potential action, as appropriate. If a sexual assault or rape should occur, staff on the scene, including Campus Security, will offer the victim a wide variety of services.

Policy statement: North Seattle College will acknowledge and respond to any reports of criminal activity or other emergencies on campus. Campus Security Officers are dispatched unless the incident poses a threat to campus requiring the response of local police. Once the situation is stabilized, Campus Security Officers will respond to assist law enforcement and fire department members, as needed.

## **Accurate and Prompt Reporting**

Faculty, staff, students, and visitors are encouraged to report suspected, or actual, criminal activity to the Safety and Security Department at 206-934-3636 or in-person (CC 1252) or to the appropriate police agency in an accurate and prompt manner, when the victim of a crime elects to, or is unable to, make such a report. If a student, staff member, or visitor reports a crime or occurrence of a serious nature, law enforcement or emergency services will be contacted by the staff member to whom the event was reported.

Certain crime statistics, as required by The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), are reported to the United States Department of Education each October 1st and are made available to all students, staff, faculty, and visitors through our website and available upon request at the Campus Security Office (Room CC 1252). ALL crimes and accidents are to be reported by submitting an accident/incident report by the victim and any witnesses, including staff members who whom the event was reported. Emergencies should first be reported by calling 9-1-1 to alert emergency responders.

Note: based on the impact of COVID-19, the Department of Education has moved the mandatory date for dissemination of the report to December 31, 2020.

### **Confidential Reporting Procedures**

The Clery Act prescribes how the College collects and reports crime statistics and provides for confidential reporting of incidents. Other laws and regulations mandate the College act to stop sexual harassment, sexual assault, and other criminal acts. In those cases, the college will attempt to respect an individual's desire for confidentiality and will work to maintain the privacy of the individual to the degree possible. However, the College may be legally required to act depending on the nature of the grievance or complaint and may not be able to honor the request for confidentiality. The individual will be informed if, while satisfying this obligation, the College may be unable to comply with the request for confidentiality.

Individuals who serve as Campus Security Authorities are not always required to disclose confidential information concerning an incident to the Campus Security Department. However, the crime must be reported to Campus Security immediately as a statistic only. Keep in mind, Campus Security Authorities may also be responsible employees and, under Title IX and the Violence Against Women Act (VAWA), may be required to provide more information than is otherwise required in their role as a Campus Security Authority (CSA).

### **Voluntary Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the North Seattle College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a Campus Safety Officer can file a report on the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to enhance the

future safety of yourself and others. With such information, the North Seattle College can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime about a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the College.

Individuals who serve as Security Authorities are not always required to disclose confidential information concerning an incident to the Safety and Security Department. However, the crime must be reported to Security immediately as a statistic only. Keep in mind, Campus Security Authorities (CSA) may also be responsible employees and, under Title IX and the Violence Against Women Act, may be required to provide more information that is otherwise required in their role as a Campus Security Authority.

## **Pastoral and Professional Mental Health Counselors**

In accordance with the Clery Act, pastoral and professional mental health counselors who are appropriately credentialed and hired by North Seattle College to serve in a counseling role are not considered Campus Security Authorities when they are acting in the counseling role. As a matter of policy, the College encourages pastoral and professional mental health counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

### *Pastoral Counselor- Definition*

An employee of the College, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

### *Professional Counselor - Definition*

An employee of the College whose official responsibilities include providing psychological counseling to members of the College's community, and who is functioning within the scope of his or her license or certification.

The Campus Safety Department encourages pastoral and professional counselors, when they deem it appropriate, to inform the persons they are counseling to voluntarily report the incident to the Campus Safety Department on a confidential basis for inclusion of the annual disclosure of crime statistics.

North Seattle College does not employ any Pastoral Counselors.

## **Daily Crime Log**

The North Seattle Campus Safety and Security Department maintains a Daily Crime Log of all incidents reported to them. The Campus Security Department publishes a crime log every day, which is available to the public for review. This log identifies the type, locations, and time of

each criminal incident reported to the Campus Security Department. The most current sixty (60) days of information is available at the front desk in the Campus Safety Office located at 9600 College Way North, Room CC 1252, Seattle WA, 98103.

## **Crime Prevention and Safety Awareness Programs**

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end domestic violence, dating violence, sexual assault and stalking that:

- A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- B. Consider environmental risk and protective factors as they occur on the individual, relationship, The institutional community and societal levels.

Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees. These programs include:

- Identifying domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defining what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- Defining what behavior and actions constitute consent to sexual activity;
- The College's definition of consent and the purposes for which the definition is used:

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

- A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has engaged in non-consensual conduct.
- Intoxication is not a defense against allegations that an individual has engaged in non-consensual sexual conduct.
- Providing safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander; Bystander intervention includes recognizing situations of potential harm, understanding the institutional structures and cultural conditions that facilitate violence, overcoming

barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;

- Providing information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to minimize the risk of potential attacks;
- Providing an overview of information contained in the Annual Security and Fire Safety Report in compliance with the Clery Act. The College has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; presenting programs throughout the year on at least a quarterly basis, including sessions such as:
  - Speakers on Healthy Relationships & Sexual Assault
  - Student Leadership campus training and inclusion of campus resources
  - Security escorts for students, faculty, and staff.

To promote safety awareness, the North Seattle College Department of Campus Safety and Security participates in a variety of programs to educate and inform students and employees. The programs are presented upon request or are scheduled at various times and locations on campus. If you or your department or group would like to request a specific program, please contact Campus Security at 206-934-3636.

### **How to Be an Active Bystander**

Bystanders are people who witness sexual violence, abuse, or stalking, or have reason to believe that such a crime has taken or will take place. Bystanders are, in fact, the largest group of people involved in these crimes, greatly outnumbering both perpetrators and victims. They often have the power to stop assaults from occurring and to get help for people who have been victimized.

Intervening can be difficult, however. Even when a bystander encounters an abuser or a victim of abuse, they may not believe they can do anything to help. Many bystanders ignore the situation because they do not want to get involved or fail to report the situation because they are afraid of retaliation. "What if I'm wrong," many will wonder.

We take reports of abuse and sexual crimes very seriously. We work hard to protect the confidentiality of those involved, and we thoroughly investigate claims before rendering judgment. There are also multiple ways to leave anonymous tips. When in doubt, speak up. Our goal is to create a culture of active bystanders, all of whom are actively engaged in the prevention of violence and working to create a better student and college experience.

### **Options for Bystander Intervention:**

- Bystanders can engage in safe and positive actions to prevent harm or intervene when there is a risk of dating violence, sexual assault, or stalking.
- Possible actions include recognizing situations of potential harm, raising awareness for conditions that lead to violence and abuse, overcoming barriers for victims and bystanders and identifying safe and effective intervention options.
- If someone discloses a sexual assault, abusive relationship, or experience with stalking



to, you can start by believing them.

- If you see someone on or off campus who looks like they are in trouble, ask if they are okay. If you are afraid to interfere with the situation, call that person over for something very general (“Can I speak to you about the homework from the other day?”).
- If you see a colleague, student, or friend doing something harmful, speak up. If someone says something offensive, derogatory, or abusive, let them know that the behavior is wrong, and you do not want to be around it. Do not laugh at sexist, racist, or homophobic jokes.
- Be respectful of yourself and others. Before initiating any sexual act with your partner, make sure it is OK.
- Before intervening, always make sure you can do so safely.

## **Risk Reduction**

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (source: <https://www.rainn.org/articles/staying-safe-campus>).

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you do not know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cash (UBER/LYFT) money.
7. Do not allow yourself to be isolated with someone you don’t trust or someone you don’t know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check-in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 in the U.S.).

11. Do not leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you have left your drink alone, just get a new one.
12. Do not accept drinks from people you do not know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, do not drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately (by calling 9-1-1 in the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
  - b. Be true to yourself. Do not feel obligated to do anything you do not want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. Have a code word with your friends or family so that if you do not feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. Lie. If you do not want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### **Primary Prevention and Awareness Programs**

The College offered the following **primary prevention and awareness programs** for all **incoming students** in 2019:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Title IX – Sexual Harassment	Quarterly during orientation	North Seattle College	Discrimination/Harassment
Domestic Violence Prevention	Quarterly during orientation	North Seattle College	Domestic Violence

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The College offered the following **primary prevention and awareness programs** for all **new employees** in 2019:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
NHO	Monthly	District Office	Discrimination/Harassment
Sexual Harassment & Discrimination	Monthly	Online	Sexual and gender-based discrimination and harassment

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

### ***Ongoing Prevention and Awareness Campaigns***

North Seattle College develops and presents training throughout the school year for ongoing awareness and prevention programs for students. Note: except for a few weeks at the beginning of 2020, all programming has been online because of COVID-19 protocols. When normal education returns, our training will include face to face presentations, online training/programming and dissemination of printed and digital information.

The College offered the following **ongoing awareness and prevention programs** for **students** in 2019:

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Title IX	04/02/2019	North Seattle College	Sex and gender-based discrimination/harassment
EVERFI: Sexual Assault Prevention		Online	Sexual Assault
Clothesline	Every Spring Quarter	North Seattle College	Sexual Assault
Denim Day	Annually	North Seattle College	Sexual Assault

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The College offered the following **ongoing awareness and prevention programs** for **employees** in 2019:

<b>Name of Program</b>	<b>Date(s) Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior* Covered?</b>
Drug & Alcohol Issues	6/11/2019	Seattle Central College	Drug and alcohol use
Responding to Behavioral Concerns Workshop	02/27 and 03/04, 2019	Seattle Central College	Discrimination/harassment; Title IX; student conduct
Responding to Behavioral Concerns Workshop	03/18/2019	Wood Technology Center	Discrimination/harassment; Title IX; student conduct
De-escalation Presentation	11/05/2019	Seattle Central College	Student conduct; de-escalation; mental health; behavioral intervention
EVERFI: Bridges		Online	Sexual misconduct
EVERFI: Harassment and Discrimination Prevention		Online	Harassment, discrimination

\*DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

## Behavioral Intervention/CARE Team

In order to enhance emergency preparedness and prevention efforts, North Seattle College has established a Behavioral Intervention Team that we refer to as our Campus Assessment, Response & Evaluation (CARE) Team. The objective of the CARE Team is to systematically identify, evaluate, and manage potentially threatening situations, including persons of concern, at the College. The multidisciplinary team is composed of people from a cross-campus that meets on a regular basis to review and respond to reports of student behavior that may pose a threat of self-harm or a threat to the community. The CARE mission is to provide a safe environment for the campus community through collaboration, information collection, risk assessment, and intervention. A North Seattle College Student Conduct/Behavioral Intervention Incident Report Form can be located here:

[https://cm.maxient.com/reportingform.php?SeattleColleges&layout\\_id=2](https://cm.maxient.com/reportingform.php?SeattleColleges&layout_id=2).

## **Alcohol and Illegal Drugs on Campus**

Federal law requires North Seattle College to notify all faculty, staff, and students of certain information pertaining to the unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as part of its activities. North Seattle College publishes information regarding the College's prevention programs related to drug and alcohol abuse prevention which include standards of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at The College-associated activities; sanctions for violations of federal, state, and local laws and College policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for North Seattle College students and employees. A complete description of these topics, as provided in the College's annual notification to students and employees, is available online at: <https://northseattle.edu/tobacco-free-campus/frequently-asked-questions>.

The information included in this report complies with the notification requirements of the Drug-Free Schools and Communities Act and its implementing regulations. The College prohibits the unlawful possession, use, sale manufacture, or distribution of alcohol or controlled substances by students, faculty, staff, and guests in buildings, facilities, grounds, or property controlled by the College or at College activities. The Seattle Police Department is responsible for the enforcement of state underage drinking laws and enforcement of Federal and State drug laws.

Note: drug free education programs and district policy can be found here: <https://www.seattlecolleges.edu/about/policies-and-procedures/pol249?hasboth=1&docID=249&companionId=pro>.

### **Areas Open to the Public**

North Seattle College prohibits the possession and use of alcoholic beverages in areas open to the public, including areas of buildings open to the public. However, the use of alcoholic beverages, subject to the laws of Washington State, may be permitted at College-sponsored activities in areas designated by, and with prior approval.

### **Private or Closed Areas**

The possession and use of alcoholic beverages are prohibited in conference rooms, offices, office reception rooms, closed buildings, and areas of buildings not open to the public or from which the public has been excluded, except the use of alcoholic beverages, subject to the laws of Washington State, may be permitted in specific private or closed areas designated by, and with the prior approval of, the appropriate person responsible for the area of request.

### **Policies Specific to North Seattle College Students**

Students who violate this policy are subject to disciplinary action including sanctions as outlined in the Student Code of Conduct in addition to any penalties resulting from violating local, state, and/or federal law. Disciplinary sanctions may include: A Disciplinary Warning or

Disciplinary Probation to Suspension or Expulsion from the College. In most cases, the Office of Student Conduct will also assign developmental and educational interventions designed to promote greater awareness and improved decision making for students and to further deter future misconduct.

## **Title IX Employee Disciplinary Hearing Procedure**

### **Order of Precedence**

This supplemental employee discipline procedure applies to allegations of Sexual Harassment subject to Title IX jurisdiction pursuant to regulations promulgated by the United States Department of Education. See 34 C.F.R. § 106. Disciplinary proceedings against an employee respondent alleged to have engaged in sexual harassment in violation of Title IX shall be governed by District Policy 421 and this supplemental hearing procedure. To the extent the supplemental hearing procedure conflicts with provisions set forth in employment contracts, collective bargaining agreements, employee handbooks, and other Seattle Colleges employment policies and procedures, this supplemental hearing procedure will take precedence.

Notwithstanding the foregoing, if Respondent is a tenured or probationary faculty member and the Title IX Coordinator determines that the allegations in the investigation, if true, would warrant Respondent's dismissal from the College, the Title IX Coordinator will refer the matter to the Tenure Dismissal Committee for a hearing pursuant to RCW 28B.50.863 and applicable procedures set forth in the faculty union Collective Bargaining Agreement (CBA). To the extent the Tenure Dismissal Committee procedures are inconsistent or in conflict with Sections II through VII of this Supplemental Procedure, those Supplemental Procedure sections will prevail.

At the end of the hearing, the Tenure Dismissal Committee will issue a Recommendation consistent with the provisions set forth in Section VIII. Claimant shall have the same right to appear and participate in the proceedings as the Respondent, including the right to present their position on the Recommendation to the Title IX Coordinator before final action is taken.

### **Prohibited Conduct Under Title IX**

Pursuant to Title IX of the Education Act Amendments of 1972, 20 U.S.C. §1681, the Seattle Colleges may impose disciplinary sanctions against an employee who commits, attempts to commit, or aids, abets, incites, encourages, or assists another person to commit, an act(s) of "sexual harassment."

For purposes of this supplemental procedure, "Sexual Harassment" encompasses the following conduct:

1. Quid pro quo harassment. A *Seattle Colleges* employee conditioning the provision of an aid, benefit, or service of the *Seattle Colleges* on an individual's participation in unwelcome sexual conduct.
2. Hostile environment. Unwelcome conduct that a reasonable person would find to be so

severe, pervasive, and objectively offensive that it effectively denies a person equal access to the *Seattle Colleges'* educational programs or activities, or employment.

3. Sexual assault. Sexual assault includes the following conduct:
  1. Nonconsensual sexual intercourse. Any actual or attempted sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.
  2. Nonconsensual sexual contact. Any actual or attempted sexual touching, however slight, with any body part or object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.
  3. Incest. Sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of eighteen (18).
  4. Statutory rape. Consensual sexual intercourse between someone who is eighteen (18) years of age or older and someone who is under the age of sixteen (16).
4. Domestic violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Washington, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Washington, RCW 26.50.010.
5. Dating violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors:
  1. The length of the relationship;
  2. The type of relationship; and
  3. The frequency of interaction between the persons involved in the relationship.
6. Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

## **Title IX Jurisdiction**

1. This supplemental procedure applies only if the alleged misconduct:
  1. Occurred in the United States;
  2. Occurred during a *Seattle Colleges* educational program or activity; and
  3. Meets the definition of Sexual Harassment as that term is defined in this supplemental procedure.
2. For purposes of this supplemental procedure, an "educational program or activity" is defined as locations, events, or circumstances over which the *Seattle Colleges* exercised

substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurred. This definition includes any building owned or controlled by a student organization that is officially recognized by the *Seattle Colleges*.

3. Proceedings under this supplemental procedure must be dismissed if the Title IX Coordinator determines that one or all of the requirements of Section A (1)-(3) have not been met. Dismissal under this supplemental procedure does not prohibit the *Seattle Colleges* from pursuing disciplinary action against a Respondent based on allegations that the Respondent engaged in other misconduct prohibited by federal or state law, employment contracts or handbooks, or other *Seattle Colleges* policies.
4. If the Title IX Coordinator determines the facts in the investigation report are not sufficient to support Title IX jurisdiction and/or pursuit of a Title IX violation, the Title IX Coordinator will issue a notice of dismissal in whole or part to both parties explaining why some or all of the Title IX claims have been dismissed.

### **Initiation of Discipline**

1. Upon receiving the Title IX investigation report from the Title IX Investigator, the Title IX Coordinator will independently review the report to determine whether there are sufficient grounds to pursue a disciplinary action against the Respondent for engaging in prohibited conduct under Title IX.
2. If the Title IX Coordinator determines that there are sufficient grounds to proceed under these supplemental procedures, the Title IX Coordinator will initiate a Title IX disciplinary proceeding by filing a written disciplinary notice with the *hearing panel* and by serving the notice on the Respondent and the Claimant, and their respective advisors. The notice must:
  1. Set forth the basis for Title IX jurisdiction;
  2. Identify the alleged Title IX violation(s);
  3. Set forth the facts underlying the allegation(s);
  4. Identify the range of possible sanctions that may be imposed if the Respondent is found responsible for the alleged violation(s);
  5. Explain that each Party is entitled to be accompanied by an Advisor of their own choosing during the hearing and that:
    1. Advisors will be responsible for questioning all witnesses on the Party's behalf;
    2. An Advisor may be an attorney or any non-union person of the party's choice. Any member represented by a union may request union representation at the hearing in accordance with section VI.d.;
    3. The *Seattle Colleges* will appoint the Party an Advisor of the *Seattle Colleges'* choosing at no cost to the Party, if the Party fails to choose an Advisor; and
  6. Explain that if a Party fails to appear at the hearing, a decision of responsibility may be made in the Party's absence.
3. Service of the disciplinary notice or any other document required to be served under this supplemental procedure may be done personally or by first class, registered, or certified mail, or by electronic mail to the Party's *Seattle Colleges* email address.

### **Pre-Hearing Procedure**

1. Upon receiving the disciplinary notice, the *hearing panel* will send a hearing notice to all



parties in compliance with WAC 10-08-040. Pursuant to Policy 421, the hearing date may not be scheduled less than ten (10) days after the Title IX Coordinator provided the Final Investigation Report to the Parties.

2. A Party is entitled to be accompanied by an Advisor of their choice during the disciplinary process at the party's own expense. The Advisor may be an attorney. At any time during the disciplinary process, if the party is a represented employee, the party may have a union representative present.
  1. If the Advisor is an attorney, the Advisor must file a notice of appearance with the *hearing panel* with copies to all parties and the Title IX Coordinator at least five (5) days before the hearing. If a notice of appearance is not filed within this timeframe, the Party will be deemed to have waived their right to have an attorney as an Advisor.
  2. In preparation for the hearing, the Parties will have equal access to all evidence gathered by the investigator during the investigation, regardless of whether the *Seattle Colleges* intends to offer the evidence at the hearing.

## **Rights of Parties**

1. The provisions of this supplemental procedure shall apply equally to both parties. The *Seattle Colleges* bears the burden of offering and presenting sufficient testimony and evidence to establish that the Respondent is responsible for a Title IX violation by a preponderance of the evidence.
2. The Respondent will be presumed not responsible until such time as the disciplinary process has been finally resolved.
3. During the hearing, each Party shall be represented by an Advisor. The Parties are entitled to an Advisor of their own choosing and the Advisor may be an attorney. If a party does not choose an Advisor, then the Title IX Coordinator will appoint an Advisor of the *Seattle Colleges'* choosing on the Party's behalf at no expense to the Party. A party may choose to have an Advisor *and* a union representative present at the hearing.

## **Evidence**

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

1. Relevance: The Committee Chair shall review all questions for relevance and shall explain on the record their reasons for excluding any question based on lack of relevance.
2. Relevance means that information elicited by the question makes a fact in dispute more or less likely to be true.
3. Questions or evidence about a Claimant's sexual predisposition or prior sexual behavior are not relevant and must be excluded, unless such question or evidence:
  1. Is asked or offered to prove someone other than the Respondent committed the alleged misconduct; or
  2. Concerns specific incidents of prior sexual behavior between the Claimant and the Respondent, which are asked or offered on the issue of consent.
4. Cross-examination required: If a Party or witness does not submit to cross-examination during the live hearing, the *hearing panel* must not rely on any statement by that Party or

witness in reaching a determination of responsibility.

5. No negative inference: The *hearing panel* may not make an inference regarding responsibility solely on a witness's or party's absence from the hearing or refusal to answer questions.
6. Privileged evidence: The *hearing panel* shall not consider legally privileged information unless the holder has effectively waived the privilege. Privileged information includes, but is not limited to, information protected by the following:
  1. Spousal/domestic partner privilege;
  2. Attorney-Client and attorney work product privileges;
  3. Privileges applicable to members of the clergy and priests;
  4. Privileges applicable to medical providers, mental health therapists, and counsellors;
  5. Privileges applicable to sexual assault and domestic violence advocates; and
  6. Other legal privileges identified in RCW 5.60.060.

## Initial Order

1. The *hearing panel* will be responsible for drafting an Initial Order that:
  1. Identifies the allegations of sexual harassment;
  2. Describes the grievance and disciplinary procedures, starting with filing of the formal claim through the determination of responsibility, including notices to parties, interviews with witnesses and parties, site visits, methods used to gather evidence, and hearings held;
  3. Makes findings of fact supporting the determination of responsibility;
  4. Reaches conclusions as to whether the facts establish whether the Respondent is responsible for engaging in Sexual Harassment in violation of Title IX;
  5. Contains a statement of, and rationale for, the Committee's determination of responsibility for each allegation;
  6. Describes any disciplinary sanction or conditions imposed against the Respondent, if any;
  7. Describes to what extent, if any, Claimant is entitled to remedies designed to restore or preserve Claimant's equal access to the *Seattle Colleges'* education programs or activities; and
  8. Describes the process for appealing the Initial Order to the *Seattle Colleges* President.
2. The *hearing panel* will serve the Initial Order on the Parties simultaneously.

## Appeals

1. The Parties have the right to appeal from the determination of responsibility and/or from a Title IX dismissal, in whole or part, of a formal claim, as set forth in the Initial Order. Appeals shall be submitted in writing to the Vice Chancellor for Human Resources or the Vice Chancellor's delegate within ten (10) calendar days of receiving the decision. Appeals are limited to the following grounds:
  1. A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures).
  2. To consider new evidence, unknown or unavailable during the original investigation, that could substantially impact the original finding or sanction. A summary of the new

- evidence and its potential impact must be included in the submitted appeal request.
3. Title IX personnel had a conflict of interest or bias that affected the outcome of the matter.
  2. If no appeal is received within ten (10) calendar days, the decision becomes final. If an appeal is received, the individual handling the appeal shall respond within 21 calendar days. Both parties will be informed if an appeal has been filed. The request shall either be denied or, if found to have merit, an amended decision can be issued.
  3. The Vice Chancellor's Office shall serve the Final Decision on the parties simultaneously.
  4. All decisions reached through this process are final and no further appeal is available. No decisions or recommendations arising from this disciplinary procedure will be subject to grievance pursuant to any Collective Bargaining Agreement.

<sup>1</sup> If a represented party chooses to have a union representative and an Advisor present at the hearing, only the Advisor may participate in the hearing.

## **Discrimination and Harassment Complaint Procedure**

### **Introduction**

The Seattle College District recognizes its responsibility, described in Policy 419, for investigation, resolution, implementation of corrective measures, and monitoring the educational environment and workplace to stop, remediate, and prevent all manners of discrimination. To this end, the Seattle College District has enacted Policy and Procedure 419, Discrimination and Harassment, prohibiting discrimination against and/or harassment of any employee, student, applicant or visitor, and legally defined members of a protected class. Any individual found to be in violation of Policy 419 will be subject to disciplinary action up to and including dismissal from the College or from employment.

Any employee, student, applicant, or visitor who believes that they have been the subject of discrimination or harassment should report the incident or incidents to the College's, or District's Title IX / EEO Coordinator identified below. All District employees (faculty, staff, student employees and administrators) are designated as "responsible employees" and must report actual or suspected discrimination or harassment immediately, subject to limited exceptions for employees who are statutorily barred from reporting. All details of the reports they receive must be shared promptly. If the complaint is against that Coordinator, the impacted party should report the matter to the president's, or Chancellor's office for referral to an alternate designee.

Seattle College District Office:  
Vice Chancellor of Human Resources  
Title IX / EEO Coordinator  
Contact info: (206) 934-4136  
1500 Harvard Avenue, Seattle, WA 98122 or

Compliance Officer  
(206) 934-3873

1500 Harvard Avenue, Seattle, WA 98122

North Seattle College:  
Human Resources Director  
Title IX / EEO Coordinator  
9600 College Way North, CC Room 2153 E  
Seattle, WA 98103  
206.934.4710

The Title IX / EEO Coordinator or designee:

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

The Seattle College District encourages the timely reporting of any incidents of discrimination or harassment. Complaints may be submitted in writing or orally. For impacted parties who wish to submit a written complaint, a formal complaint form is available online at <http://seattlecolleges.edu/HR/complaint>.

Hardcopies of the complaint form are available at the following locations on campus or the District office:

Seattle College District Office  
1500 Harvard Avenue, Seattle, WA 98122  
2nd Floor Reception Desk

Title IX Coordinator/HR Director  
North Seattle College  
9600 College Way North, CC Room 2153 E  
Seattle, WA 98103

## **Definitions**

### **Impacted Party**

Employee(s), applicant(s), student(s), or visitors(s) of the Seattle College District who alleges that she or he has been subjected to discrimination or harassment. The impacted party is not

necessarily the reporting party; witnesses or other third parties may report concerns.

## **Complaint**

A description of facts that allege violation of the District's policy against discrimination or harassment.

## **Consent**

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

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

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

## **Discrimination**

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

## **Harassment**

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

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

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

Verbal or physical threats of violence or physical contact directed towards an individual based

upon their membership in a protected class.

Making, posting, emailing, texting, or otherwise circulating demeaning or offensive pictures, cartoons, graffiti, notes or other materials that relate to race, ethnic origin, gender or any other protected class.

### **Protected Class:**

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

### **Resolution**

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

### **Responding Party**

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

### **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.

- a. 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 [and/or student housing].
- b. 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.

## **Sexual Violence**

Is a type of sexual discrimination and harassment. Non-consensual sexual intercourse, non-consensual sexual contact, domestic violence, dating violence, and stalking are all types of sexual violence.

- Non-consensual 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.
- Non-consensual sexual contact is any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.
- Domestic violence includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.
- Dating violence means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.
- Stalking means intentional and repeated harassment or following of another person, 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.

## **“Bullying”**

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

- Being held to a different standard than the rest of an employee's work group;
- Consistent ignoring or interrupting of an employee in front of co-workers;
- Personal attacks (angry outbursts, excessive profanity, or name-calling);
- Encouragement of others to turn against, marginalize, or ostracize the targeted employee;
- Use of email, Internet, or other "cyber" venues to denigrate the targeted employee.

The Seattle College District encourages all employees to report any instance of bullying behavior they have experienced or witnessed to their supervisor or the college HR Director.

### **Who May File A Complaint?**

Any employee, applicant, student or visitor of the Seattle College District may file a complaint. Complaints may be submitted in writing or verbally. The Seattle College District encourages the timely reporting of any incidents of discrimination or harassment. For impacted parties who wish to submit a written complaint, a formal complaint form is available online at [seattlecolleges.edu/reporting-forms](http://seattlecolleges.edu/reporting-forms). Hard copies of the complaint form are available at the locations listed above in Section A. Any person submitting a discrimination complaint shall be provided with a written copy of the College's anti-discrimination policies and procedures.

### **Confidentiality and Right to Privacy**

The Seattle College District will seek to protect the privacy of the impacted party to the full extent possible, consistent with the legal obligation to investigate, take appropriate remedial and/or disciplinary action, and comply with the federal and state law, as well as District policies and procedures. Although Seattle College District will attempt to honor impacted party's 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 impacted party before commencing an investigation into a sexual violence complaint. If a sexual violence impacted party asks that his or her name not be revealed to the responding party or that the College/District not investigate the allegation, the Title IX / EEO Coordinator will inform the impacted party that maintaining confidentiality may limit the District's or college's ability to fully respond to the allegations and that retaliation by the responding party and/or others is prohibited. If the impacted party still insists that his or her name not be disclosed or that the College/District not investigate, the Title IX / EEO Coordinator will determine whether the College/District can honor the request and at the same time maintain a safe and non-discriminatory environment for all members of the District's community, including the impacted party. 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 impacted party;
- whether the sexual violence was perpetrated with a weapon;



- whether the responding party has a history of committing acts of sexual violence or has been the subject of other sexual violence complaints;
- whether the responding party threatened to commit additional acts of sexual violence against the impacted party or others; and
- whether relevant evidence can be obtained through other means (e.g., security cameras, other witnesses, physical evidence).

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

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

### **Investigation Procedure**

Upon receiving a discrimination complaint, the College/District shall commence an impartial investigation. The Title IX / EEO Coordinator shall be responsible for overseeing all investigations. Investigations may be conducted by the Title IX / EEO Coordinator or his 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 impacted party and responding party(s) of the appointment of an investigator.

### **Interim Measures**

The Title IX / EEO Coordinator may impose interim measures to protect the impacted party and/or responding party 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 responding party consistent with the District's/College's student conduct code or the District's/College's employment policies and collective bargaining agreements.

### **Investigation**

Complaints shall be thoroughly and impartially investigated. The investigation shall include, but is not limited to, interviewing the impacted party and the responding party, 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 their findings and recommendations in writing. If the investigator is a designee, the investigator shall send a copy of the findings and recommendations to the Title IX / EEO Coordinator.

The Title IX / EEO Coordinator shall consider the findings and recommendations and

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

### **Written Notice of Decision**

The Title IX / EEO Coordinator will provide each party with written notice of the investigative findings and of actions taken or recommended to resolve the complaint, subject to the following limitations. The impacted party 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 impacted party, such as a finding that the complaint is or is not meritorious or a recommendation that the accused not contact the impacted party. The impacted party may be notified generally that the matter has been referred for disciplinary action. The responding party shall be informed in writing of the findings and of actions taken or recommended to resolve the complaint and shall be notified of referrals for disciplinary action. Both the impacted party and the responding party are entitled to review any final findings, conclusions, and recommendations, subject to any FERPA confidentiality requirements.

### **Informal Dispute Resolution**

Informal dispute resolution processes, like mediation, may be used to resolve complaints, when appropriate. Informal dispute resolution shall not be used to resolve sexual discrimination complaints without written permission from both the impacted party and the responding party. If the parties elect to mediate a dispute, either party shall be free to discontinue mediation at any time. In no event shall mediation be used to resolve complaints involving allegations of sexual violence.

### **Final Decision/Appeals**

Either the impacted party or the responding party may seek review of the decision by the Title IX / EEO Coordinator. Appeals shall be submitted in writing to the Chief Human Resources Officer for employee complaints or the VP of Student Services for student complaints within ten (10) calendar days of receiving the decision. The administrator will designate an individual to handle the appeal. Appeals are limited to the following grounds:

1. A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures).
2. To consider new evidence, unknown or unavailable during the original investigation, that could substantially impact the original finding or sanction. A summary of the new evidence and its potential impact must be included in the submitted appeal request.

3. The sanctions imposed fall outside the range of sanctions generally designated for this offense.

If no appeal is received within ten (10) calendar days, the decision becomes final. If an appeal is received, the individual handling the appeal shall respond within 21 calendar days. Both parties will be informed if an appeal has been filed. The request shall either be denied or, if found to have merit, an amended decision can be issued. Any amended decision is final, and no further appeal is available.

### **Publication of Anti-Discrimination Policies and Procedures**

The policies and procedures regarding complaints of discrimination and harassment shall be published and distributed as determined by the Chancellor/President or designee. Any person who believes they have been subjected to discrimination in violation of District/College policy will be provided a copy of these policies and procedures

### **Limits to Authority**

Nothing in this procedure shall prevent the District Chancellor or College President or designee from taking immediate disciplinary action in accordance with Seattle College District policies and procedures, and federal, state, and municipal rules and regulations.

### **Non-Retaliation, Intimidation and Coercion**

Retaliation by, for or against any participant (including impacted party, responding party, 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 they have been the victim of retaliation should contact the Title IX / EEO Coordinator immediately.

### **Criminal Complaints**

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

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

### **Other Discrimination Complaint Options**

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

Washington State Human Rights Commission: <https://www.hum.wa.gov/>

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

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

## **Our Response to Domestic Violence, Dating Violence, Sexual Assault and Stalking**

North Seattle College does not allow, condone or permit discrimination. Discrimination on any basis is explicitly prohibited. This prohibition includes discrimination on the basis of sex in its educational programs, sexual harassment and sexual violence, which is a type of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether gender based or not and include dating violence, domestic violence, and stalking. As a result, North Seattle College issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct; educational programs and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus, and how these events are reported to a College official. In this context, North Seattle College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the College community.

### **Our Commitment to Addressing Sexual Assault/Rape, Domestic Violence, Dating Violence, and Stalking**

The College does not tolerate sexual misconduct or abuse, such as sexual assault, rape, or any other forms of non-consensual sexual activity. Sexual misconduct in any form violates the Code of Student Conduct, College policies and may violate federal and state laws. Violations are subject to disciplinary sanctions through the Office of Student Conduct and/or those outlined in applicable College or District policies. The Washington Administrative Code that covers student conduct at Seattle Colleges can be found at:

<https://apps.leg.wa.gov/WAC/default.aspx?cite=132F-121-110>.

### **Responding to Reports of Sexual Assault, Domestic Violence, Dating Violence, and Stalking**

The College has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant<sup>1</sup> and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available.

The College will make such accommodations or protective measures, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the North Seattle College Safety and Security Department or local law enforcement. Students and employees should contact:

Interim Vice President – Student Services  
and | NSC Student Conduct Officer  
Toni Castro  
North Seattle College  
CC Room 2354A  
9600 College Way North  
Seattle, WA 98103  
206.934.3669

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, below are the procedures that the College will follow:

Incident Being Reported	Procedure the College Will Follow
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), The College will provide complainant with access to medical care</li> <li>2. The College will assess immediate safety needs of complainant</li> <li>3. The College will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for the local police department</li> <li>4. The College will provide complainant with referrals to on and off campus mental health providers</li> <li>5. The College will assess the need to implement interim or long-term protective measures, if appropriate.</li> <li>6. The College will provide the victim with a written explanation of the victim's rights and options</li> <li>7. The College will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> <li>8. The College will provide written instructions on how to apply for Protective Order</li> <li>9. The College will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>10. The College will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</li> <li>11. The College will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>

<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. The College will assess immediate safety needs of complainant</li> <li>2. The College will assist complainant with contacting local police if the complainant requests AND provide the complainant with contact information for the local police department</li> <li>3. The College will provide written instructions on how to apply for a Protective Order</li> <li>4. The College will provide written information to complainant on how to preserve evidence</li> <li>5. The College will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. The College will provide the victim with a written explanation of the victim's rights and options</li> <li>7. The College will provide a "No trespass" (PNG) directive to the accused party if deemed appropriate</li> </ol>
<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. The College will assess immediate safety needs of the complainant</li> <li>2. The College will assist the complainant with contacting local police if the complainant requests AND provide the complainant with contact information for the local police department</li> <li>3. The College will provide written instructions on how to apply for a Protective Order</li> <li>4. The College will provide written information to the complainant on how to preserve evidence</li> <li>5. The College will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. The College will provide the victim with a written explanation of the victim's rights and options</li> <li>7. The College will provide a "No trespass" (PNG) directive to the accused party if deemed appropriate</li> </ol>
<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>1. The College will assess immediate safety needs of the complainant</li> <li>2. The College will assist the complainant with contacting local police if the complainant requests AND the complainant will be provided with contact information for the local police department</li> <li>3. The College will provide written instructions on how to apply for a Protective Order</li> <li>4. The College will provide written information to the complainant on how to preserve evidence</li> <li>5. The College will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. The College will provide the victim with a written explanation of the victim's rights and options</li> <li>7. The College will provide a "No trespass" (PNG) directive to the accused party if deemed appropriate</li> </ol>

## **Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs**

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at Harborview Medical Center, 325 9<sup>th</sup> Avenue, Seattle, WA 98104 (206) 744-3000. Harborview is managed by University of Washington Medicine and is open 24 hours with nurses trained in the collection of forensic evidence. In Washington, evidence may be collected even if you chose not to make a report to law enforcement<sup>2</sup>.

**RCW 7.68.170:** Examination costs of sexual assault victims paid by state.

No costs incurred by a hospital or other emergency medical facility for the examination of the victim of a sexual assault, when such examination is performed for the purposes of gathering evidence for possible prosecution, shall be billed or charged directly or indirectly to the victim of such assault. Such costs shall be paid by the state pursuant to this chapter.

The Seattle Colleges are in King County Washington and services by the King County Sexual Assault Resource Center (KCSARC) located at Triton Towers Three, 707 S. Grady Way, Suite 300, Renton, WA 98057. Their number is (425) 226-5062 and their website is: <https://www.kcsarc.org/FAQ>. This is their response related to a question about confidentiality:

***“I don’t want everyone to find out. Do the police need my name? Will they make it public?”***

*Confidentiality is a high priority for KCSARC. You will be asked to give your name to the police when you report. Legally, they need to have the name of the person filing the complaint because you serve as the “witness” to the crime. In a sexual assault, the victim is generally the only witness to the crime and is also the person bringing the complaint forward. The police will generally try to keep the names of victims confidential. It is important to know, however, that your name will appear on the official police report that gets forwarded to the prosecutor’s office. If the prosecutor files charges against the perpetrator, and this person is arraigned, documents become a record open to the public. Prosecutors and police make every effort to keep your name from appearing choosing initials instead, but it is out of courtesy that this is done and is not the law. It is possible for your name to be released. It is the practice of most media personnel to withhold victim names.”*

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or

<sup>2</sup> Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not “require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both.”



sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also 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 adjudicators, investigators or police.

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, he or she nevertheless should consider speaking with the North Seattle College Safety and Security Department or other law enforcement to preserve evidence if the victim decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

### **Involvement of Law Enforcement and Campus Authorities**

Although the college strongly encourages all members of its community to report violations of this policy to law enforcement (including on campus law enforcement and/or local police), it is the victim's choice whether to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the College's Vice President for Student Services and all Campus Safety staff will assist any victim with notifying law enforcement if the victim so desires.

The Seattle Police Department may also be reached directly by calling (206) 684-0850 or in person at 10049 College Way North, Seattle, WA 98103. Additional information about the Seattle Police department may be found online at: [www.seattle.gov/police](http://www.seattle.gov/police).

### ***Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking***

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator (contact information below) by calling, writing or coming into the office to report in person and Campus Public Safety (if the victim so desires.)<sup>3</sup> Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

You have other options in addition to, or in the alternative to, contacting North Seattle College Campus Safety and Security regarding sexual assault, domestic violence, dating violence, and stalking. Concerns about conduct by a student or student group that may violate this Policy may also be reported to:



Interim Vice President – Student Services  
and | NSC Student Conduct Officer  
Toni Castro  
North Seattle College  
CC Room 2354A  
9600 College Way North  
Seattle, WA 98103  
206.934.3669

Concerns about conduct by an employee or third-party that may violate this Policy may also be reported to the Title IX Coordinator at:

Human Resources Director/Title IX  
Coordinator  
Josh Ernst  
North Seattle College  
CC Room 2153E  
9600 College Way North  
Seattle, WA 98103  
206.934.4710

If you or someone you know is the victim of a sexual assault, the victim has several rights, including: The right to report the incident to the Campus Security or local authorities. The College will assist victims in notifying either Campus Security or local police. Filing a police report does not mean the victim must pursue criminal charges. The victim maintains his or her rights throughout the process. If any victim has concerns about the process, the appropriate contacts are: Interim Vice President – Student Services and | NSC Student Conduct Officer (students) and Human Resources Director/Title IX Coordinator (faculty/staff).

### **Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the College will protect the confidentiality of victims and other necessary parties;
- a statement that the College will provide written notification to students and employees about victim services within the College and in the community;
- a statement regarding the College's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for any disciplinary action

***Rights of Victims and the College's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the College***

North Seattle College complies with Washington law in recognizing restraining orders by:

- a) notifying all campus safety personnel and posting the information within the department;
- b) requesting a copy of the order for inclusion in campus safety records;
- c) requesting to meet with the complainant to develop a Safety Action Plan, which is a plan for campus security and the victim to reduce risk of harm while on campus or coming and going from campus; this plan includes, but is not limited to: escorts and special parking arrangements;
- d) notifying the CARE Team responsible for developing short and long term plans including, but is not limited to: working with faculty to change classroom locations or allowing a student to complete assignments from home, etc.

Note: The College cannot apply for a legal order of protection, no contact order or an Immediate Restraining Order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services in conjunction with the CARE Team designee. Protection from abuse orders may be available through Washington Courts:  
<http://www.courts.wa.gov/forms/?fa=forms.contribute&formID=37>.

The College may issue a no contact order if deemed appropriate or at the request of the victim or accused. If the College receives a report that such a College issued no contact order has been violated, the College will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

***Accommodations and Protective Measures Available for Victims***

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, North Seattle College will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

Note: North Seattle College does not have residential housing.

At the victim's request, and to the extent of the victim's cooperation and consent, college offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc.

Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, transportation and/or working situations or protective measures, a victim should contact the CARE Team via:

Interim Vice President – Student Services  
and | NSC Student Conduct Officer  
Toni Castro  
North Seattle College  
CC Room 2354A  
9600 College Way North  
Seattle, WA 98103  
206.934.3669

### ***On and Off Campus Services for Victims***

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, North Seattle College will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement.

Note: impacted students or employees are encouraged to seek out forensic nurses who may be available to conduct a forensic examination. Victims are not required to file a police report even if they choose to have a forensic examination.

These resources include the following:

<b>ON CAMPUS</b>	<b>Type of Services Available</b>	<b>Service Provider</b>	<b>Contact Information</b>
Counseling	Short term solution focused counseling services	North Seattle College Counseling	General Phone line: 206-934-3676 <a href="mailto:nscounseling@seattlecolleges.edu">nscounseling@seattlecolleges.edu</a>
Health	No on-campus health services are available. The college uses local agencies to refer students	N/A	N/A
Mental Health	Counselors	North Seattle	General Phone line: 206-934-3676

	provide same day, crisis intervention and referral.	College Counseling	<a href="mailto:nscgccounseling@seattlecolleges.edu">nscgccounseling@seattlecolleges.edu</a>
Victim Advocacy	Students are referred to local agencies for wrap around support and services	N/A	N/A
Legal Assistance	Students are referred to local agencies for wrap around support and services	N/A	N/A
Visa and Immigration Assistance	Students are referred to local agencies for wrap around support and services	N/A	N/A
Student Financial Aid	<ol style="list-style-type: none"> <li>1. Federal, State, and Institutional Student Financial Aid</li> <li>2. Foundation Scholarships</li> <li>3. Emergency Assistance Grants to include assistance for housing, transportation, childcare, medical, etc.</li> </ol>	North Seattle College & Seattle Colleges Foundation	North Seattle College Financial Aid Office  Email: <a href="mailto:nscfinaid@seattlecolleges.edu">nscfinaid@seattlecolleges.edu</a>  Tel: 206-934-3688

OFF CAMPUS	Type of Services Available	Service Provider	Contact Information
Counseling	24-hour emergency service; connect student with ongoing counseling support and	New Beginnings	<a href="http://newbegin.org/get-help">http://newbegin.org/get-help</a> Help Line: 206-522-9472

	<p>emergency shelter.</p> <p>Shelter and wrap around support – case manager and counseling</p>	<p>DV Specialized services through YWCA</p>	<p>Bridget Griffin-</p> <p><a href="mailto:bgffin@ywcaworks.org">bgffin@ywcaworks.org</a></p> <p>Seattle WA 98118</p> <p>206-743-7064</p>
Health/Forensic Nurses	<p>Harborview provides 24- hour access to forensic medical exams and care related to sexual assault, child physical abuse or other crime related injuries through the HMC Emergency Department. The HATC Clinic provides non-acute medical exams for sexual assault and child physical abuse. All victims are seen by specially trained medical providers and social workers who assess need, provide support and information, and provide highly skilled medical care</p>	<p>Harborview Abuse and Trauma Center – certified Community sexual Assault Program (CSAP) and a designated Crime Victim Service Center (CVSC)</p>	<p>General Phone Line: 206 744 1600</p>
Mental Health	<p>Mental health counseling, DV referrals, and wrap around medical services; legal assistance; shelter; immigrant survivor advocacy</p>	<p>Domestic Abuse Women's Network</p> <p>Harborview Abuse and</p>	<p>General phone line: 24-hour Advocacy and Support Line today at 425-656-7867</p> <p>General Phone Line: 206 744 1600</p>

	Provides assessment, brief counseling and support for victims and non-offending family members. If recommended, provide evidence-based trauma specific therapy.	Trauma Center	
Victim Advocacy	Provides community-based support services to victims of all crimes  Pays medical, counseling, and limited lost wages for innocent victims of crime.	Victim Support Services  Crime Victim Compensation	1-800-346-7555 24-Hour helpline  1-800-762-3716
Legal Assistance	Legal Services and Assistance	Neighborhood Legal Clinics  Team Child (ages 12-18)  Northwest Justice Project	(206) 267-7070  <a href="http://www.teamchild.org">www.teamchild.org</a> (206) 322-2444  Clear intake and referral hotline: (888) 201-1014 <a href="http://www.washingtonlawhelp.org">www.washingtonlawhelp.org</a>
Visa and Immigration Assistance	Visa and Immigrant Resources	Seattle City Attorney's Office	<a href="https://www.seattle.gov/cityattorney/crime-victim-assistance/visa-and-immigrant-resources">https://www.seattle.gov/cityattorney/crime-victim-assistance/visa-and-immigrant-resources</a>  (206) 684-8200
Student Financial Aid	1. Financial Aid Workshops and Application Assistance 2. Benefits Hub Support Services	1. North Seattle College 2. United Way Benefits Hub on North Seattle College Campus	1. North Seattle College; Financial Aid Office; Email: <a href="mailto:nscfinancialaid@seattlecolleges.edu">nscfinancialaid@seattlecolleges.edu</a> ; Tel: 206-934-3688 2. Benefits Hub; <a href="https://northseattle.edu/equity-diversity-inclusion/united-way-benefits-hub">https://northseattle.edu/equity-diversity-inclusion/united-way-benefits-hub</a>

Other resources available to persons who report being the victim of sexual assault, domestic

violence, dating violence, or stalking, include:

Rape, Abuse and Incest National Network –  
<http://www.rainn.org>

Department of Justice –  
<http://www.ovw.usdoj.gov/sexassault.htm>

Department of Education, Office of Civil Rights –  
<https://www2.ed.gov/about/offices/list/ocr/index.html>

In addition to the campus services listed below, several community service organizations can provide counseling, mental health, and other related services to sexual assault victims.

**Campus Security** – safety and security support  
<https://northseattle.edu/safety-and-security>

**Student Services** – advocacy, referrals, counseling, academic accommodation, and education  
<https://northseattle.edu/coronavirus>

**Counseling Services** – counseling and referrals  
<https://northseattle.edu/counseling>

**Medical Services** – medical care after a sexual assault  
<https://www.seattle.gov/police/need-help/sexual-assault/getting-medical-care>

**Student Conduct** – support, referrals, and resolution of complaints  
<https://northseattle.edu/employees/student-conduct-and-student-complaints>

**Community-based Victim Witness Advocate** –  
<https://www.kingcounty.gov/depts/prosecutor.aspx>

**Community-based Rape Crisis/Domestic Violence Services** – shelter, support groups, counseling (listed in phone book under “abuse”)

**Washington Coalition Against Sexual Violence** –  
<https://www.wcsap.org/resources>

**Washington Coalition Against Domestic Violence** – 24-hour hotline (1-800-562-6025)  
<https://wscadv.org/>

If a victim of a sexual assault or relationship violence incident requests a change in her or his academic schedule, contact the Office of Student Services. Student Conduct and other offices at the College will assist the individual with making these changes, as long as they are reasonably available. The following information provides steps to follow should a sexual assault occur:

- Get to a safe place as soon as possible!
- Try to preserve all physical evidence – the victim should not bathe, shower, brush teeth, douche, use the toilet, or change clothing until s(he) has a medical exam.
- Contact a close friend or relative, if available, who can provide support and accompany the victim to the medical exam and/or police department. Advocates from the Washington Coalition Against Sexual Assault might be available to the victim to provide support.
- Get medical attention as soon as possible – an exam may reveal the presence of physical injury that the victim is unaware of. Following a sexual assault, antibiotics are typically given at the time of the exam to help prevent the victim from acquiring certain sexually transmitted diseases. Emergency contraception is provided to all female victims at risk of pregnancy from the assault (if the victim presents within 120 hours). If the victim reports memory loss, loss of consciousness or other circumstances suspicious for a drug-facilitated assault, a urine test may be done if the victim presents within 96 hours. Some of the commonly used “date rape” drugs, however, are only detectable in the urine for six to eight hours after ingestion.
- Contact the police – Sexual assault is a crime; it is vital to report it. It is important to remember that reporting a crime is not the same as prosecuting the crime. The decision to prosecute may be made at another time. Final decision to prosecute is determined by the County Prosecutor’s Office. Consider talking to a counselor – Seeing a counselor may be important in helping the victim understand her/his feelings and begin the process of recovery.

## **Formal Student Conduct Process**

Student disciplinary processes are codified in Chapter 132F-121 WAC Student Activities, Rights and Discipline located at

<https://apps.leg.wa.gov/WAC/default.aspx?dispo=true&cite=132F-121>.

Student misconduct definitions are codified in WAC 132F-121-110 and include state definitions for misconduct. A brief excerpt is included herein:

### **WAC 132F-121-110**

#### **Student misconduct**

Misconduct for which the campuses may impose sanctions includes, but is not limited to, any of the following:

(1) Discriminatory conduct. Discriminatory conduct which harms or adversely affects any member of the college community because of her/his race; color; national origin; sensory, mental or physical disability; use of a service animal; gender, including pregnancy; marital



status, religion; creed; genetic information; sexual orientation; age; gender identity; gender expression; veteran's status; or any other legally protected classification.

(2) Sexual misconduct. The term "sexual misconduct" includes sexual harassment, sexual intimidation, and sexual violence as defined in WAC [132F-121-010\(2\)](#).

(3) Harassment. Unwelcome and offensive conduct, including verbal, nonverbal, or physical conduct, that is directed at a person because of such person's protected status and that is sufficiently serious as to deny or limit, and that does deny or limit, the ability of a student to participate in or benefit from the college's educational program or that creates an intimidating, hostile, or offensive environment for other campus community members. Protected status includes a person's race; color; national origin; sensory, mental or physical disability; use of a service animal; gender, including pregnancy; marital status; age; religion; creed; genetic information; sexual orientation; gender identity; gender expression; veteran's status; or any other legally protected classification, and includes sexual harassment. Harassing conduct may include, but is not limited to, physical conduct, verbal, written, social media and electronic forms of communication.

(7) Assault, physical abuse, verbal abuse, threat(s), intimidation, harassment, bullying, cyberbullying, stalking or other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person or another person's property.

(27) Retaliation. Retaliation against any individual for reporting, providing information, exercising one's rights or responsibilities, or otherwise being involved in the process of responding to, investigating, or addressing allegations or violations of federal, state or local law, or college policies including, but not limited to, student conduct code provisions prohibiting discrimination and harassment.

## **How to File a Disciplinary Complaint Under this Policy**

You have other options in addition to, or in the alternative to, contacting North Seattle College Campus Safety and Security regarding sexual assault, domestic violence, dating violence, and stalking. Concerns about conduct by a student or student group that may violate this Policy may also be reported to:

Office of the Vice President of Student Services  
North Seattle College  
9600 College Way North  
Seattle, WA 98103  
206.934.5659

Concerns about conduct by an employee or third-party that may violate this Policy may also be reported to the Title IX Coordinator at:

Human Resources Director  
North Seattle College  
9600 College Way North  
Seattle, WA 98103

If you or someone you know is the victim of a sexual assault, the victim has several rights, including: The right to report the incident to the Campus Security or local authorities. The College will assist victims in notifying either Campus Security or local police. Filing a police report does not mean the victim must pursue criminal charges. The victim maintains his or her rights throughout the process.

## **How the College Determines Whether This Policy will be Used**

The College does not tolerate sexual misconduct or abuse, such as sexual assault, rape, or any other forms of non-consensual sexual activity. Sexual misconduct in any form violates the Code of Student Conduct, College policies and may violate federal and state laws. Violations are subject to disciplinary sanctions through the Office of Student Conduct and/or those outlined in applicable College or District policies. The Washington Administrative Code 132F-121-110 that covers student conduct at Seattle Colleges can be found at:

<https://apps.leg.wa.gov/WAC/default.aspx?cite=132F-121-110>.

## **Steps in the Disciplinary Process**

### **Internal Disciplinary Procedures for Domestic Violence, Dating Violence, Sexual Assault, or Stalking**

Sexual misconduct and relationship violence, in any form, violates the Student Code of Conduct, Discrimination, Harassment, Sexual Harassment, and Related Inappropriate Conduct (Washington State Administrative Code WAC 132F-121-110), and may violate federal and state laws. Violations of this policy are also subject to disciplinary sanctions through the Office of Student Conduct and/or the Office of Human Resources. Reports or complaints alleging sexual assault, domestic violence, dating violence, and stalking are processed on the basis of the status of the alleged perpetrator (respondent). Reports or complaints against any College employee (faculty, staff, administrator or executive) will be processed by North Seattle College's Human Resource Administrator (HRA).

Members of the College community submitting a report or complaint alleging discrimination or harassment from any individuals, who are not members of the College community (e.g., third party vendors, contractors, and guests), will also be processed by HRA. Reports or complaints alleging discrimination or harassment by a student will be processed by the Office of Student Conduct (OSC).

The Human Resource Administrator has been designated Title IX Coordinator for North Seattle College. As such, all incidents involving an alleged violation of Title IX involving students should be forwarded to the Human Resource Administrator for review.

When received, the information will be reviewed and the level of investigation, accommodation, and/or remedial measures already implemented as well as the potential need for a timely warning will be assessed. The HRA will also ensure that accommodations, resources, rights, and options are addressed with the complainant. At any time, when a

complainant expresses an interest in exploring options within the Office of Student Conduct, the process will begin with communication with the Complainant. This conversation will most often be held with the Student Conduct Officer and will occur in a prompt and timely fashion. Possible outcomes of this initial discussion include the following:

1. The incident is documented, but no further action is determined to be necessary. Appropriate accommodation to the complainant and appropriate remedial measures will still be applied; or
2. The Complainant does *not* desire the College proceed with an initial investigation to include contact with the Respondent. The Complainant will be eligible for appropriate accommodations, and appropriate remedial measures will be applied. The complainant will also be informed that if at any point in the future the Complainant wishes for formal action, the Complainant can request it at that time. A timeline for next steps will be reviewed, and when appropriate, additional meetings scheduled; or
3. The complainant requests that the College proceed with the formal College conduct process. The complainant will be eligible for appropriate accommodations, and appropriate remedial measures will be considered. Additional information necessary to proceed with the formal process will be obtained. A timeline for next steps will be reviewed and when appropriate, additional meetings scheduled. In any of the three outcomes listed, appropriate documentation will be completed for submission to the Title IX Coordinator and the Office of Student Conduct. There may be cases where the information provided requires that action be taken (including initiating informal or formal action), irrespective of the desires of the complainant and in such cases, the College will take that action. In those cases, every effort will be made to explain to the Complainant the rationale for moving forward and the relevant procedures and timelines, and to keep them abreast of the process. At no time, however, will the Complainant be compelled to participate in the process.

## **Anticipated Timelines**

The Human Resource Administrator, or a designee, will be responsible for investigating reports of sexual assault, domestic violence, dating violence, and stalking, and making factual findings, applying a preponderance of the evidence standard, with respect to whether a policy violation occurred. Following the fact finding and investigative process, he/she will prepare a written report with findings and remedial recommendations. The investigation will be complete within 60 days, and the report of findings will be simultaneously provided to the accused and the accuser, and, in appropriate circumstances, may be provided to the immediate supervisor of the accused. Along with the report of findings, both parties will be provided the opportunity to attend or participate in a disciplinary meeting which will occur after the investigative report is finalized. Both the accused and the accuser have the right to have an advisor of their choice present at this disciplinary meeting.

The meeting will be conducted by an official(s) who receives annual training in investigation and hearing processes, as well as on issues related to domestic violence, dating violence,

sexual assault, and stalking. Following the disciplinary meeting, both the accused and the accuser will receive simultaneous notice of the final disciplinary sanctions. Both the accused and the accuser may appeal the final disciplinary sanctions. Employee Grievance Procedures will be followed throughout the appeal process. At the conclusion of any appeal process, both the accused and the accuser will be notified simultaneously, in writing, of the outcome of the appeal and sanctions.

## Decision-Making Process

1. The introduction and consideration of evidence during the hearing is subject to the following procedures and restrictions:
  1. Relevance: The Committee Chair shall review all questions for relevance and shall explain on the record their reasons for excluding any question based on lack of relevance.
  2. Relevance means that information elicited by the question makes a fact in dispute more or less likely to be true.
  3. Questions or evidence about a Claimant's sexual predisposition or prior sexual behavior are not relevant and must be excluded, unless such question or evidence:
    1. Is asked or offered to prove someone other than the Respondent committed the alleged misconduct; or
    2. Concerns specific incidents of prior sexual behavior between the Claimant and the Respondent, which are asked or offered on the issue of consent.
  4. Cross-examination required: If a Party or witness does not submit to cross-examination during the live hearing, the *hearing panel* must not rely on any statement by that Party or witness in reaching a determination of responsibility.
  5. No negative inference: The *hearing panel* may not make an inference regarding responsibility solely on a witness's or party's absence from the hearing or refusal to answer questions.
  6. Privileged evidence: The *hearing panel* shall not consider legally privileged information unless the holder has effectively waived the privilege. Privileged information includes, but is not limited to, information protected by the following:
    1. Spousal/domestic partner privilege;
    2. Attorney-Client and attorney work product privileges;
    3. Privileges applicable to members of the clergy and priests;
    4. Privileges applicable to medical providers, mental health therapists, and counsellors;
    5. Privileges applicable to sexual assault and domestic violence advocates; and
    6. Other legal privileges identified in RCW 5.60.060.

The hearing panel will be comprised of three members, with one serving as committee chair.

## Standard of Evidence/Burden of Proof

The standard of evidence for determining whether a violation occurred, specifically when investigating alleged domestic violence, dating violence, sexual assault, and stalking, is

“preponderance of evidence.”

## **Possible Sanctions**

### **Students**

- Sanctions up to and including expulsion from the College
- Restriction from portions of campus
- Change in course assignment
- Mandated Psychological Evaluation and/or Counseling
- Mandated Education

## **Range of Protective Measures Available to a Victim Alleging Misconduct**

- no contact orders
- referrals to offsite support services
- counseling
- assistance with obtaining protective orders with police department
- remote participation
- relocation of office or workspace
- schedule changes
- safety escorts to/from vehicle
- prohibitions against retaliation

When cases involving domestic violence, dating violence, sexual assault, or stalking are reported and a formal conduct process is initiated, the College will provide a prompt, fair, and impartial investigation and resolution. Reports will be investigated (if applicable) and managed by professional staff or College authorities who have been trained annually on issues related to domestic violence, dating violence, sexual assault, stalking, and victimization, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

If it is determined that it is appropriate and necessary, a formal investigation process prior to the determination of charges and sanctions will occur. When a formal investigation process is initiated, the assigned investigator will attempt to interview all parties who have substantive information to share about the allegations and will attempt to gather all available documentation. An investigative packet containing the information received and collected will be compiled.

If, after factual investigation, charges are assigned and the Respondent accepts responsibility, both the Respondent and Complainant (hereafter “party”) have the opportunity to request a sanction review. If the Respondent contests the charges (i.e., denies responsibility for one or more of the assigned charges), the matter will be forwarded to a hearing. The standard of evidence in a hearing is a more likely than not (known as the preponderance of evidence standard). In other words, the determination is whether it is more likely than not that a violation occurred. In a hearing, both parties may question all witnesses.

Questions may also be posed by each party to the other; however, questioning of the other party will be permitted only through the Hearing Chair.

The Respondent and Complainant may each be assisted by an advisor. "Advisor" is defined as any person selected by the Respondent or Complainant to assist and accompany them through the College conduct process (including Disciplinary Conferences, Administrative/College Student Conduct Officer, Sanction Reviews, and formal Appeals).

A party shall not select an advisor with the actual or effective purpose of disrupting the proceedings, causing emotional distress to the other party, or otherwise attempting to disrupt the process. The advisor, upon request of either party, may (1) accompany the party in any disciplinary proceeding, (2) advise the party in the preparation and presentation of sharing of information, and (3) advise the party in the preparation of any appeals or sanction reviews.

The advisor shall not perform any function in the process other than advising the party and may not make a presentation or represent the party. The parties are expected to ask and respond to questions on their own behalf, without representation by their advisor. The advisor may consult with their advisee quietly or in writing, or outside during breaks, but may not speak on behalf of the advisee. Delays in the conduct process will not normally be allowed due to scheduling conflicts with advisors. Each party will be allowed to submit a statement of facts prior to the hearing that will be added to the hearing packet.

Each party will also be allowed to submit an impact statement that will be reviewed by the Hearing Board should the Respondent be found responsible for violating the Code. Both the Respondent and the Complainant will be notified simultaneously of the hearing outcome. If suspension or expulsion is either assigned or was within range for the charges, both the Complainant and the Respondent will have the opportunity to file an appeal. At the conclusion of any appeal process, both the Complainant and the Respondent will be notified simultaneously, in writing, of the outcome of the process.

### **Staff/Faculty Process**

The Human Resource Administrator, or a designee, will be responsible for investigating reports of sexual assault, domestic violence, dating violence, and stalking, and making factual findings, applying a preponderance of the evidence standard, with respect to whether a policy violation occurred. Following the fact finding and investigative process, he/she will prepare a written report with findings and remedial recommendations.

The investigation will be complete within 60 days, and the report of findings will be simultaneously provided in writing, of any initial or interim decisions to the accused and the accuser, and, in appropriate circumstances, may be provided to the immediate supervisor of the accused. Along with the report of findings, both parties will be provided the opportunity to attend or participate in a disciplinary meeting which will occur after the investigative report is finalized. Both the accused and the accuser have the right to have an advisor of their choice present at this disciplinary meeting.

The College will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or the College's disciplinary proceeding. However, the role of the advisor is limited: an advisor may only consult and advise her/his advisee but may not speak for the advisee at any meeting or hearing.

The meeting will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to investigate and hearing processes that protect the safety of victims and promotes accountability. Following the disciplinary meeting, both the accused and the accuser will receive simultaneous notice of the final disciplinary sanctions.

Both the accused and the accuser may appeal the final disciplinary sanctions. Employee Grievance Procedures will be followed throughout the appeal process. At the end of any appeal process, both the accused and the accuser will be notified simultaneously, in writing, of the outcome of the appeal and sanctions.

## **Procedures for Institutional Disciplinary Action in Cases of Alleged Dating Violence, Domestic Violence, Sexual Assault, or Stalking**

### **Reporting/Claim Forms**

Seattle Colleges centralizes its reporting and recordkeeping (via Maxient) to ensure concerns brought forward by staff, faculty, and students are addressed in a timely fashion. Reporting forms can be used for issues including discrimination or harassment, care and concern referrals, and student conduct.

Please be aware that these forms are not to be used in an emergency. If this is an emergency, please call your campus security or 911. Additionally, the filing of a report does not constitute filing an official police report.

### **Discrimination/Harassment/Bullying**

The Discrimination/Harassment/Bullying Incident Reporting Form ([https://cm.maxient.com/reportingform.php?SeattleColleges&layout\\_id=0](https://cm.maxient.com/reportingform.php?SeattleColleges&layout_id=0)) is for discrimination or harassment complaints based on a protected status, including those based on sex and/or gender (Title IX), race, age, religion, and disability. This form is also for complaints of bullying. Procedure 419 provides the policy definition of bullying.

Seattle College District Policy:

#### **PROCEDURE NUMBER: 419**

#### **TITLE: Discrimination and Harassment**

The Seattle College District 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, the Seattle College District has enacted policies prohibiting discrimination against and/or harassment of any student, employee, visitor or any member of a legally protected class. Further, the Seattle College District is committed to ensure that all employees and students work and learn in an environment that fosters mutual respect and professionalism, free from all forms of "bullying" behaviors, including "cyber bullying", as defined in Procedure 419. All employees and students are responsible for contributing to such an environment and are expected to treat other employees, students, and visitors with courtesy and respect. Any individual found to be in violation of this policy will be subject to disciplinary action up to and including dismissal from the College or from employment.

Any employee, student, applicant, or visitor who believes that he or she has been the subject of discrimination, harassment, or bullying should report the incident or incidents to the College's, or District's Title IX / EEO Coordinator identified in Procedure 419, Discrimination and Harassment. If the complaint is against that Coordinator, the complainant should report the matter to the college president's or Chancellor's office for referral to an alternate designee.

## **How the College Determines Whether This Policy will be Used**

Once an individual file a report via our online reporting system (Maxient), it gets routed to the HR Director on campus. The HR Director, who also serves as a Title IX Coordinator, will make an assessment as to whether the filed claim, if found to be true, would constitute a violation of our policies. The Title IX Coordinator applies the policy to the alleged facts of the case and makes the determination whether to either dismiss the claim, forward it to a different department who has appropriate jurisdiction, or proceed with an investigation.

Policy 421 covers only Title IX – allegations of sexual harassment, including quid pro quo harassment, hostile environment, and sexual assault (nonconsensual sexual intercourse, nonconsensual sexual contact, incest, statutory rape, domestic violence, dating violence, and stalking).

Policy 419 covers discrimination and harassment based on a protected class – 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.

Depending on the nature of the claim, the HR Director could follow procedures set forth for either policy mentioned above.



# Seattle College District Policy

NUMBER: 421

TITLE: TITLE IX

## A. Purpose

*Seattle Colleges* recognizes its responsibility to investigate, resolve, implement corrective measures, and monitor the educational environment and workplace to stop, remediate, and prevent discrimination on the basis of sex, as required by Title IX of the Educational Amendments of 1972, Title VII of the Civil Rights Act of 1964, the Violence Against Women Reauthorization Act, and Washington State's Law Against Discrimination, and their implementing regulations. To this end, *Seattle Colleges* has enacted Policy 421 and adopted the following Title IX Grievance Procedure for receiving and investigating Sexual Harassment allegations arising during education programs and activities. Any individual found responsible for violating *Seattle Colleges'* Title IX policy is subject to disciplinary action up to and including dismissal from the *District's* educational programs and activities and/or termination of employment.

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

## B. Definitions

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

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

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

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

2. **“Claimant”** means an individual who is alleged to be the victim of conduct that could constitute Sexual Harassment.
3. **“Respondent”** means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.
4. **“Formal Claim”** means a writing submitted by the Claimant or signed by the Title IX coordinator alleging Sexual Harassment against a Respondent and requesting that the *Seattle Colleges* conduct an investigation.
5. **“Education Program or Activity”** includes locations, events, or circumstances over which the *Seattle Colleges* exercised substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurred. It also includes any building owned or controlled by a student organization officially recognized by the *Seattle Colleges*.
6. **“Grievance Procedure”** is the process the *Seattle Colleges* uses to initiate, informally resolve, and/or investigate allegations that an employee or student has violated Title IX provisions prohibiting sexual harassment.
7. **“Supportive Measures”** are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Claimant or Respondent regardless of whether the Claimant or the Title IX Coordinator has filed a Formal Claim. Supportive Measures restore or preserve a party’s access to the *Seattle Colleges’* education programs and activities without unreasonably burdening the other party, as determined through an interactive process between the Title IX Coordinator and the party. Supportive Measures include measures designed to protect the safety of all parties and/or the *Seattle Colleges’* educational environment and/or to deter Sexual Harassment or retaliation. Supportive measures may include, but are not limited to, (i) counseling and other medical assistance, (ii) extensions of deadlines or other course-related adjustments, (iii) modifications of work or class schedules, (iv) leaves of absence, (v) increased security or monitoring of certain areas of campus, and (vi) imposition of orders prohibiting the parties from contacting one another in housing or work situations. Determinations about whether to impose a one-way no contact order must be made on a case-by-case basis. If supportive measures are not provided, the Title IX Coordinator must document in writing why this was clearly reasonable under the circumstances.
8. **“Summary Suspension”** means an emergency suspension of a student Respondent pending investigation and resolution of disciplinary proceedings pursuant to the procedure and standards set forth in WAC 132F-121-250.
9. **“Sexual Harassment,”** for purposes of these Title IX Grievance Procedures, Sexual Harassment occurs when a Respondent engages in the following discriminatory conduct on the basis of sex:
  1. **Quid pro quo harassment.** A *Seattle Colleges* employee conditioning the provision of an aid, benefit, or service of the *Seattle Colleges* on an individual’s participation in unwelcome sexual conduct.
  2. **Hostile environment.** Unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the *Seattle Colleges’* educational programs or activities or *Seattle Colleges* employment.
  3. **Sexual assault.** Sexual assault includes the following conduct:
    1. **Nonconsensual sexual intercourse.** Any actual or attempted sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a person upon another person, that is without

Consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.

2. **Nonconsensual sexual contact.** Any actual or attempted sexual touching, however slight, with any body part or object, by a person upon another person that is without Consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.
3. **Incest.** Sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of eighteen (18).
4. **Statutory rape.** Consensual intercourse between a person who is eighteen (18) years of age or older, and a person who is under the age of sixteen (16).
5. **Domestic violence.** Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Washington, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Washington, RCW 26.50.010.
6. Dating violence, Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors:
  1. The length of the relationship;
  2. The type of relationship; and
  3. The frequency of interaction between the persons involved in the relationship.
7. Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (i) fear for their safety or the safety of others; or (ii) suffer substantial emotional distress.
10. **"Title IX Administrators"** are the Title IX Coordinator, Title IX investigators, the Student Conduct Officer, Student Conduct Committee members, a supervisor with authority under the generally applicable collective bargaining agreement or policy with disciplinary authority for an employee as pertaining to Title IX disciplinary proceedings only, and *Seattle Colleges*-provided advisors assigned to the parties by the *Seattle Colleges* during Title IX disciplinary proceedings.

11. **“Title IX Coordinator”** is responsible for processing Title IX claims and conducting and/or overseeing formal investigations and informal resolution processes under this Grievance Procedure. Among other things, the Title IX Coordinator is responsible for:
1. Accepting and processing all Title IX reports, referrals, and Formal Claims.
  2. Executing and submitting a Formal Claim when appropriate and necessary.
  3. Handling requests for confidentiality.
  4. Determining during the Grievance Procedure (i) whether a Formal Claim should be dismissed either in whole or in part, and if so, (ii) providing notice to both parties about why dismissal was necessary or desirable, and (iii) referring the claim to the appropriate disciplinary authority for proceedings outside the jurisdiction of Title IX.
  5. Maintaining accurate records of all claims, reports, and referrals, and retaining investigation files, claims, reports, and referrals in compliance with the applicable records retention schedules or federal or state law, whichever is longer.
  6. Conducting investigations or assigning and overseeing investigations.
  7. Engaging in an interactive process with both parties to identify and provide supportive measures that ensure during the investigation and disciplinary processes that the parties have equitable access to education programs and activities and are protected from further discrimination or retaliation.
  8. Upon completion of an investigation, issuing or overseeing the issuance of a final investigation report to the parties and the appropriate disciplinary authority in compliance with this Grievance Procedure.
  9. Recommending non-disciplinary corrective measures to stop, remediate, and/or prevent recurrence of discriminatory conduct to disciplinary authorities and other *Seattle Colleges* administrators.
12. **“Advisors”** can accompany parties at any time during the grievance process, at the party’s discretion. They can be any individual chosen by the party including, but not limited to, a family member, teacher, friend, or attorney. Their role during the grievance process is limited to providing support, taking notes, and/or caucusing with the party if needed. During the Grievance Procedure, the advisor may be a union representative if the party is a represented member. Note: advisors take on a larger role during a disciplinary hearing. Union representatives may not serve as advisors in this capacity; however, they may be present at any time during the disciplinary process.

### C. Principles for Title IX Grievance Procedure

1. Respondent shall be presumed not responsible for the alleged conduct unless or until a determination of responsibility is reached after completion of the grievance and disciplinary processes.
2. Before imposing discipline, the *Seattle Colleges* is responsible for gathering and presenting evidence to a neutral and unbiased decision maker establishing responsibility for a Title IX violation by a preponderance of the evidence.
3. The *Seattle Colleges* shall treat both the Claimant and Respondent equitably by providing Claimant with remedies against Respondent who has been found responsible for Sexual Harassment through application of the institution’s Title IX grievance and applicable Title IX disciplinary procedures and by providing Respondent with Title IX

procedural safeguards contained in this Title IX Grievance Procedures and in the applicable Title IX disciplinary procedures.

4. The investigator shall base investigation results on all relevant evidence, including both exculpatory and inculpatory evidence.
5. Formal and informal resolutions will be pursued within reasonably prompt timeframes with allowances for temporary delays and extensions for good cause shown. Grounds for temporary delay include, but are not limited to campus closures, extraordinary disruptions to normal operations, and school breaks. Good cause supporting a request for an extension includes, but is not limited to: a party, a party's advisor, or a witness being unavailable, concurrent law enforcement activity, and the need for language assistance or accommodation of disabilities. Both parties will receive written notice of any temporary delay or extension for good cause with an explanation of why the action was necessary.
6. A Respondent found responsible for engaging in Sexual Harassment may receive discipline up to and including dismissal from the *Seattle Colleges*. A description of other possible disciplinary sanctions and conditions that may be imposed against students can be found in WAC 132F-121-160.

An employee found responsible for Sexual Harassment may receive discipline up to and including dismissal from employment. A description of possible disciplinary sanctions and conditions that may be imposed against employees can be found

at: <http://resources.seattlecolleges.edu/intranet/getdocument.aspx?siteID=170&docID=1079&doctype=1079>.

7. In proceedings against a student Respondent, the parties may appeal the Student Conduct Committee's ruling to the President pursuant to WAC 132F-121-170 and Supplemental Title IX Student Conduct Code Procedures, WAC 132F-121-270 through WAC 132F-121-350.

In proceedings against an employee Respondent, the parties may appeal the Employee Disciplinary Decision to the Vice Chancellor for Human Resources pursuant to Procedure 421.

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

#### **D. Title IX Administrators – Free from bias – Training requirements**

1. Title IX Administrators shall perform their duties free from bias or conflicts.
2. Title IX Administrators shall undergo training on the following topics:
  1. The definition of Sexual Harassment under these procedures,
  2. The scope of the *Seattle Colleges'* educational programs and activities,
  3. How to conduct an investigation,
  4. How to serve impartially without prejudgment of facts, conflicts of interest, or bias,
  5. Use of technology used during an investigation or hearing,
  6. The relevance of evidence and questions, and
  7. Effective report writing.
3. All Title IX Administrator training materials shall be available on the *Seattle Colleges'* Title IX webpage.

## **E. Filing a Claim**

Any employee, student, applicant, or visitor who believes that they have been the subject of Sexual Harassment should report the incident or incidents to the *Seattle Colleges'* Title IX Coordinators identified below for each campus. If the claim is against the Title IX Coordinator, the Claimant should report the matter to the President's office for referral to an alternate designee.

### **Seattle College District Office:**

Vice Chancellor of Human Resources  
Title IX / EEO Coordinator  
Contact info: (206) 934-5428;  
1500 Harvard Avenue, Seattle, WA 98122, or  
Director, Legal Compliance  
Title IX / EEO Coordinator  
Contact info: (206) 934-3873  
1500 Harvard Avenue, Seattle, WA 98122

### **Seattle Central College:**

Human Resources Director  
Title IX / EEO Coordinator  
Contact info: (206) 934-4017  
1701 Broadway, Seattle, WA 98122

### **North Seattle College:**

Human Resources Director  
Title IX / EEO Coordinator  
Contact info: (206) 934-4710  
9600 College Way North, Seattle, WA 98103

### **South Seattle College:**

Human Resources Director  
Title IX / EEO Coordinator  
Contact info: (206) 934-6415  
6000 16th Avenue S.W., Seattle, WA 98106

## F. Confidentiality

1. The *Seattle Colleges* will seek to protect the privacy of the Claimant to the fullest 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 *Seattle Colleges* policies and procedures. Although the *Seattle Colleges* will attempt to honor Claimants' requests for confidentiality, it cannot guarantee complete confidentiality. Determinations regarding how to handle requests for confidentiality will be made by the Title IX Coordinator.
2. The Title IX Coordinator will inform and attempt to obtain consent from the Claimant before commencing an investigation of alleged Sexual Harassment. If a Claimant asks that their name not be revealed to the Respondent or that the *Seattle Colleges* not investigate the allegation, the Title IX Coordinator will inform the Claimant that maintaining confidentiality may limit the *Seattle Colleges'* ability to fully respond to the allegations and that retaliation by the Respondent and/or others is prohibited. If the Claimant still insists that their name not be disclosed or that the *Seattle Colleges* not investigate, the Title IX Coordinator will determine whether the *Seattle Colleges* can honor the request and at the same time maintain a safe and nondiscriminatory environment for all members of the *Seattle Colleges* community, including the Claimant. Factors to be weighed during this determination may include, but are not limited to:
  1. The seriousness of the alleged Sexual Harassment;
  2. The age of the Claimant;
  3. Whether the Sexual Harassment was perpetrated with a weapon;
  4. Whether the Respondent has a history of committing acts of Sexual Harassment or violence or has been the subject of other Sexual Harassment or violence claims or findings;
  5. Whether the Respondent threatened to commit additional acts of Sexual Harassment or violence against the Claimant or others; and
  6. Whether relevant evidence about the alleged incident can be obtained through other means (e.g., security cameras, other witnesses, physical evidence).
3. If the *Seattle Colleges* is unable to honor a Claimant's request for confidentiality, the Title IX Coordinator will notify the Claimant of the decision and ensure that Claimant's identity is disclosed only to the extent reasonably necessary to effectively conduct and complete the investigation in compliance with this Grievance Procedure.
4. If the *Seattle Colleges* decides not to investigate or take disciplinary action because of a request for confidentiality, the Title IX Coordinator will evaluate whether other measures are available to address the circumstances giving rise to the claim and prevent their recurrence, and implement such measures if reasonably feasible.

## G. Claim Resolution

The Title IX resolution processes are initiated when the Title IX Coordinator's Office receives a claim alleging that a Respondent(s) sexually harassed a Claimant and requesting that the *Seattle Colleges* initiate an investigation (a Formal Claim). A Formal Claim must be either submitted by the Claimant or signed by the Title IX Coordinator on behalf of the Claimant on a

form designated by the District. At the *Seattle Colleges*, formal claims are submitted via an online platform (<https://www.seattlecolleges.edu/about/policies-and-procedures/www.seattlecolleges.edureporting-forms>). Formal claims submitted to the Title IX Coordinator may be resolved through either informal or formal resolution processes. The *Seattle Colleges* will not proceed with either resolution process without a Formal Claim. For purposes of this Title IX Grievance Procedure, the Claimant must be participating in or attempting to participate in a *Seattle Colleges* education program or activity at the time the Formal Claim is filed.

## **1. Informal Resolution:**

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

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

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

If the parties agree to an informal resolution process, the *Seattle Colleges* will commence the process within 10 days after the parties agree to this option and conclude within 30 days of beginning that process: subject to reasonable delays and extensions for good cause shown. The informal process is voluntary. Either the impacted or responding party may withdraw from the informal resolution process at any time, at which point the formal investigation process will resume.

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

## **2. Formal Resolution**

Formal resolution means that the Claimant's allegations of Sexual Harassment will be subjected to a formal investigation by an impartial and unbiased investigator. The investigator will issue a report of the investigation findings. Upon completion of the investigation, the investigator will submit the final investigation report to the appropriate disciplinary authority to determine whether disciplinary proceedings are warranted.



## H. Emergency Removal

If a student Respondent poses an immediate threat to the health and safety of the College Community or an immediate threat of significant disruption to *Seattle Colleges* operations, the *Seattle Colleges'* student conduct officer may summarily suspend a Respondent pursuant to WAC 132F-121-250, pending final resolution of the allegations. Nothing in this Grievance Procedure prohibits the *Seattle Colleges* from placing non-student employees on administrative leave pending final resolution of the allegations.

## I. Investigation Notices

Upon receiving a Formal Claim and determining that allegations comport with Title IX claims, the *Seattle Colleges* will provide the parties with the following notices containing the following information:

1. Notice of formal and informal resolution processes. A description of the *Seattle Colleges'* grievance resolution procedures, including the informal resolution procedure.
2. The investigator will serve the Respondent and the Claimant with a Notice of Investigation in advance of the initial interview with the Respondent to allow the Respondent sufficient time to prepare a response to the allegations and to inform the Claimant that the *Seattle Colleges* has commenced an investigation. The investigation notice will:
  1. Include the identities of the parties (if known), a description of the conduct alleged constituting Title IX Sexual Harassment, and the time and location of the incident (if known).
  2. Confirm that the Respondent is presumed not responsible for the alleged conduct and that the *Seattle Colleges* will not make a final determination of responsibility until after the grievance and disciplinary processes have been completed.
  3. Inform parties that they are both entitled to have an advisor of their own choosing, who may be an attorney.
  4. Inform parties they have a right to review and inspect evidence.
  5. Inform parties about student conduct code provisions and employment policies that prohibit students and employees from knowingly submitting false information during the grievance and disciplinary processes.
3. Amended investigation notice. If during the course of the investigation, the *Seattle Colleges* decides to investigate Title IX Sexual Harassment allegations about the Claimant or Respondent that are not included in the investigation notice, the *Seattle Colleges* will issue an amended notice of investigation to both parties that includes this additional information.
4. Interview and meeting notices. Before any interviewing or meeting with a party about Title IX allegations, the *Seattle Colleges* shall provide the party at least 48 hours in advance with a written notice identifying the date, time, location, participants, and purpose of the interview or meeting with sufficient time for the party to prepare for the interview or meeting.

## J. Investigation Process - Dismissal

1. Mandatory dismissal. The Title IX Coordinator will dismiss the Title IX allegations, if during the course of a formal investigation under the Title IX Grievance Process, the investigator determines that the alleged misconduct in the Formal Claim:
  1. Does not meet the definition of Sexual Harassment under Title IX, even if proved; or
  2. Did not occur in the context of a College Education Program or Activity; or
  3. Occurred outside the United States.
2. Discretionary dismissal. The *Seattle Colleges* may dismiss a Title IX claim in whole or in part, if:
  1. The Claimant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Claim in whole or in part;
  2. Respondent is no longer enrolled with or employed by the *Seattle Colleges*; or
  3. Specific circumstances prevent the *Seattle Colleges* from gathering evidence sufficient to complete the investigation of the Title IX allegations in whole or in part.
3. The Title IX Coordinator will provide both parties written notice if Title IX allegations are dismissed with an explanation for the dismissal.
4. Mandatory or discretionary dismissal of a Title IX claim does not preclude the *Seattle Colleges* from investigating and pursuing discipline based on allegations that a Respondent violated other federal or state laws and regulations, *Seattle Colleges* conduct policies, and/or other codes and contractual provisions governing student and employee conduct.

## K. Investigation Process – Consolidation of Formal Claims

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

## L. Investigation Process – Required Procedures

During the investigation, the Investigator:

1. Will provide the parties with equal opportunity to present relevant statements, and other evidence in the form of fact or expert witnesses and inculpatory or exculpatory evidence.
2. Will not restrict the ability of either party to discuss the allegations under investigation or gather and present relevant evidence, except when a no contact order has been imposed based on an individualized and fact specific determination that a party poses a threat to the health, safety, or welfare of another party and/or witnesses or when contact with a

party and/or witness is prohibited by court order. A *Seattle Colleges*-imposed no contact shall be no broader than is necessary to protect the threatened party or witness and must provide the impacted party or their advisor with alternative means of gathering and presenting relevant evidence from the protected witness and/or party.

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

## Steps in the Disciplinary Process

If the Title IX Coordinator, after reviewing the investigative report, determines there is sufficient grounds to pursue disciplinary action against the Respondent, the Coordinator must initiate a TIX disciplinary proceeding. The hearing panel will be notified, along with the claimant and respondent and their respective advisors. In preparation for this hearing, all parties will have equal access to all evidence gathered during the investigation. The hearing date may not be scheduled less than 10 days after the Coordinator provided the investigative report to the parties.

During the hearing, each party will be represented by an advisor of their choosing or a school-appointed advisor. Once the hearing concludes, the hearing panel is responsible for drafting an Initial Order, which includes any disciplinary sanction or conditions imposed upon Respondent as well as the process for appealing. Any party can appeal within 10 calendar days of receiving the Initial Order. If no appeal is received, the decision becomes final. If there is an appeal, the individual handling the appeal has 21 calendar days to respond. All decisions thereafter are final and no further appeal is available.

## Decision-Making Process

2. The introduction and consideration of evidence during the hearing is subject to the following procedures and restrictions:
  7. Relevance: The Committee Chair shall review all questions for relevance and shall explain on the record their reasons for excluding any question based on lack of relevance.
  8. Relevance means that information elicited by the question makes a fact in dispute more or less likely to be true.
  9. Questions or evidence about a Claimant's sexual predisposition or prior sexual behavior are not relevant and must be excluded, unless such question or evidence:
    1. Is asked or offered to prove someone other than the Respondent committed the alleged misconduct; or
    2. Concerns specific incidents of prior sexual behavior between the Claimant and the Respondent, which are asked or offered on the issue of consent.
  10. Cross-examination required: If a Party or witness does not submit to cross-examination during the live hearing, the *hearing panel* must not rely on any statement by that Party or witness in reaching a determination of responsibility.
  11. No negative inference: The *hearing panel* may not make an inference regarding responsibility solely on a witness's or party's absence from the hearing or refusal to answer questions.
  12. Privileged evidence: The *hearing panel* shall not consider legally privileged information unless the holder has effectively waived the privilege. Privileged information includes, but is not limited to, information protected by the following:
    1. Spousal/domestic partner privilege;
    2. Attorney-Client and attorney work product privileges;
    3. Privileges applicable to members of the clergy and priests;
    4. Privileges applicable to medical providers, mental health therapists, and counsellors;
    5. Privileges applicable to sexual assault and domestic violence advocates; and
    6. Other legal privileges identified in RCW 5.60.060.

The hearing panel will be comprised of three members, with one serving as committee chair.

## Standard of Evidence/Burden of Proof

The standard of evidence for determining whether a violation occurred, specifically when investigating alleged domestic violence, dating violence, sexual assault, and stalking, is "preponderance of evidence."

## **Possible Sanctions**

### **Faculty/Staff**

- Verbal warning or counseling
- Retraining
- Letter of reprimand
- Reduction in pay
- Suspension
- Demotion
- Termination / involuntary separation / discharge

## **Range of Protective Measures Available to a Victim Alleging Misconduct**

- no contact orders
- referrals to offsite support services
- counseling
- assistance with obtaining protective orders with police department
- remote participation
- relocation of office or workspace
- schedule changes
- safety escorts to/from vehicle
- prohibitions against retaliation

The Human Resource Director, or a designee, will be responsible for investigating reports of sexual assault, domestic violence, dating violence, and stalking, and making factual findings, applying a preponderance of the evidence standard, with respect to whether a policy violation occurred. Following the fact finding and investigative process, he/she will prepare a written report with findings and remedial recommendations. The investigation will be complete within 60 days, and the report of findings will be simultaneously provided to the accused and the accuser, and, in appropriate circumstances, may be provided to the immediate supervisor of the accused. Along with the report of findings, both parties will be provided the opportunity to attend or participate in a disciplinary meeting which will occur after the investigative report is finalized. Both the accused and the accuser have the right to have an advisor of their choice present at this disciplinary meeting.

The meeting will be conducted by an official(s) who receives annual training in investigation and hearing processes, as well as on issues related to domestic violence, dating violence, sexual assault, and stalking. Following the disciplinary meeting, both the accused and the accuser will receive simultaneous notice of the final disciplinary sanctions. Both the accused and the accuser may appeal the final disciplinary sanctions. Employee Grievance Procedures will be followed throughout the appeal process. At the conclusion of any appeal process, both the accused and the accuser will be notified simultaneously, in writing, of the outcome of the appeal and sanctions.

## **Sanctions and Protective Measures**

Following a final determination of an institutional procedure regarding domestic violence, dating violence, sexual assault or stalking, the College may impose the following sanctions or protective measures:

### **Faculty/Staff**

- Verbal Warning or Counseling
- Retraining
- Letter of Reprimand
- Reduction in Pay
- Suspension
- Demotion
- Termination of Employment/Involuntary Separation
- Restrictions from all or portions of campus
- Removal from classroom teaching
- Removal from administrative position

## **College-Initiated Protective Measures**

In addition to those protective measures previously described the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include but are not limited to: A College order of no contact, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved.<sup>4</sup> Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by North Seattle College.

North Seattle College will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. Such accommodations or protective measures will be provided if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

## **What is Consent?**

Consent must be informed, freely given and mutual. If coercion, intimidation, threats or physical force are used there is no consent. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature or extent of the sexual situation, there is no consent: this includes impairment or incapacitation due to alcohol or drug

<sup>4</sup> Applicable law requires that, when taking such steps to separate the complainant and the accused, the University must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.

consumption or being asleep or unconscious. Inducement of incapacitation of another with the intent to affect the ability of an individual to consent or refuse to consent to sexual contact almost always, if not always, negates consent. Silence does not necessarily constitute consent. Whether a person has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.

## **Violence Against Women Act**

### **Policy statement**

North Seattle College prohibits the crimes of domestic violence, dating violence, sexual assault and stalking, as defined by the Clery Act.

### **Sexual Assault**

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

### **Rape**

Is penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Rape also occurs when a person engages in sexual intercourse with a person by forcible compulsion or the threat of forcible compulsion that would prevent resistance by a person of reasonable resolution, or when a person is unconscious or where the person knows that the victim is unaware that the act is occurring.

### **Fondling**

Is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

### **Incest**

Is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

### **Statutory Rape**

Is defined as sexual intercourse with a person who is under the statutory age of consent.

## **Domestic Violence**

Includes felony or misdemeanor crimes of violence committed

- by a current or former spouse or intimate partner of the victim,
- by a person with whom the victim shares a child in common,
- by a person cohabitating with or has cohabitated with the victim as a spouse
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## **Dating Violence**

Means violence committed by a person:

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim and,
2. Where the existence of such a relationship will be determined based on the reporting party's statement and with consideration of the following factors:
  - (i) The length of the relationship.
  - (ii) The type of relationship.
  - (iii) The frequency of interaction between the persons involved in the relationship.
- i. For the purposes of this definition—
  - A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - B) Dating violence does not include acts covered under the definition of domestic violence.
- ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## **Stalking**

Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

A person commits the crime of stalking when the person either:

- i. For the purposes of this definition—



- A) *Course of conduct* means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
- B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
- C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## Washington State Criminal Code Definitions

North Seattle College prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as defined by the Clery Act. Additionally, these behaviors may be crimes under the Washington State Criminal Code. Following are the relevant definitions under the criminal code:

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

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

### Rape in the first degree (RCW 9A.44.040)

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

### Rape in the second degree (RCW 9A.44.050)

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

- (i) Has supervisory authority over the victim; or
- (ii) Was providing transportation, within the course of his or her employment, to the victim at the time of the offense;
- (d) When the perpetrator is a health care provider, the victim is a client or patient, and the sexual intercourse occurs during a treatment session, consultation, interview, or examination. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that the client or patient consented to the sexual intercourse with the knowledge that the sexual intercourse was not for the purpose of treatment;
- (e) When the victim is a resident of a facility for persons with a mental disorder or chemical dependency and the perpetrator is a person who is not married to the victim and has supervisory authority over the victim; or
- (f) When the victim is a frail elder or vulnerable adult and the perpetrator is a person who is not married to the victim and who:
  - (i) Has a significant relationship with the victim; or
  - (ii) Was providing transportation, within the course of his or her employment, to the victim at the time of the offense.
- (2) Rape in the second degree is a class A felony

### **Rape in the third degree (RCW 9A.44.060)**

- (1) A person is guilty of rape in the third degree when, under circumstances not constituting rape in the first or second degrees, such person engages in sexual intercourse with another person:
  - (a) Where the victim did not consent as defined in \*RCW 9A.44.010(7), to sexual intercourse with the perpetrator; or
  - (b) Where there is threat of substantial unlawful harm to property rights of the victim.
- (2) Rape in the third degree is a class C felony.

### **Consent (RCW 9A.44.010(7))**

“Consent” means that at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

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

### **Indecent liberties (RCW 9A.44.100)**

- (1) A person is guilty of indecent liberties when he or she knowingly causes another person to have sexual contact with him or her or another:
  - (a) By forcible compulsion;
  - (b) When the other person is incapable of consent by reason of being mentally defective, mentally incapacitated, or physically helpless;
  - (c) When the victim is a person with a developmental disability and the perpetrator is a person who is not married to the victim and who:

- (i) Has supervisory authority over the victim; or
- (ii) Was providing transportation, within the course of his or her employment, to the victim at the time of the offense;
- (d) When the perpetrator is a health care provider, the victim is a client or patient, and the sexual contact occurs during a treatment session, consultation, interview, or examination. It is an affirmative defense that the defendant must prove by a preponderance of the evidence that the client or patient consented to the sexual contact with the knowledge that the sexual contact was not for the purpose of treatment;
- (e) When the victim is a resident of a facility for persons with a mental disorder or chemical dependency and the perpetrator is a person who is not married to the victim and has supervisory authority over the victim; or
- (f) When the victim is a frail elder or vulnerable adult and the perpetrator is a person who is not married to the victim and who:
  - (i) Has a significant relationship with the victim; or
  - (ii) Was providing transportation, within the course of his or her employment, to the victim at the time of the offense.
- (2)(a) Except as provided in (b) of this subsection, indecent liberties is a class B felony.
- (b) Indecent liberties by forcible compulsion is a class A felony.

## **Dating Violence**

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

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

## **Domestic Violence**

A felony or misdemeanor crime of violence committed by:

1. By a current or former spouse or intimate partner of the victim;
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies; or

5. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

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

### **Domestic violence (RCW 26.50.010)**

As used in this chapter, the following terms shall have the meanings given them:

- 1) "Court" includes the superior, district, and municipal courts of the state of Washington.
- (2) "Dating relationship" means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.
- (3) "Domestic violence" means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking as defined in RCW 9A.46.110 of one intimate partner by another intimate partner; or (b) physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member.
- (4) "Electronic monitoring" has the same meaning as in RCW 9.94A.030.
- (5) "Essential personal effects" means those items necessary for a person's immediate health, welfare, and livelihood. "Essential personal effects" includes but is not limited to clothing, cribs, bedding, documents, medications, and personal hygiene items.
- (6) "Family or household members" means: (a) Adult persons related by blood or marriage; (b) adult persons who are presently residing together or who have resided together in the past; and (c) persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.
- (7) "Intimate partner" means: (a) Spouses, or domestic partners; (b) former spouses, or former domestic partners; (c) persons who have a child in common regardless of whether they have been married or have lived together at any time; (d) adult persons presently or previously residing together who have or have had a dating relationship; (e) persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship; and (f) persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship.
- (8) "Judicial day" does not include Saturdays, Sundays, or legal holidays.

### **Stalking (RCW 9A.46.110(1))**

- (1) A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:

(a) He or she intentionally and repeatedly harasses or repeatedly follows another person;  
and

(b) The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and

(c) The stalker either:

(i) Intends to frighten, intimidate, or harass the person; or

(ii) Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.

(2)(a) It is not a defense to the crime of stalking under subsection (1)(c)(i) of this section that the stalker was not given actual notice that the person did not want the stalker to contact or follow the person; and

(b) It is not a defense to the crime of stalking under subsection (1)(c)(ii) of this section that the stalker did not intend to frighten, intimidate, or harass the person.

(3) It shall be a defense to the crime of stalking that the defendant is a licensed private investigator acting within the capacity of his or her license as provided by chapter 18.165 RCW.

(4) Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person.

(5)(a) Except as provided in (b) of this subsection, a person who stalks another person is guilty of a gross misdemeanor.

(b) A person who stalks another is guilty of a class B felony if any of the following applies:

(i) The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a protective order; (ii) the stalking violates any protective order protecting the person being stalked; (iii) the stalker has previously been convicted of a gross misdemeanor or felony stalking offense under this section for stalking another person; (iv) the stalker was armed with a deadly weapon, as defined in RCW 9.94A.825, while stalking the person; (v)(A) the stalker's victim is or was a law enforcement officer; judge; juror; attorney; victim advocate; legislator; community corrections' officer; an employee, contract staff person, or volunteer of a correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare, or adult protective services division within the department of social and health services; and (B) the stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or (vi) the stalker's victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony.

(6) As used in this section:

(a) "Correctional agency" means a person working for the department of natural resources in a correctional setting or any state, county, or municipally operated agency with the authority to direct the release of a person serving a sentence or term of confinement and includes but is not limited to the department of corrections, the indeterminate sentence review board, and the department of social and health services.

(b) "Follows" means deliberately maintaining visual or physical proximity to a specific person over a period of time. A finding that the alleged stalker repeatedly and deliberately appears at the person's home, school, place of employment, business, or any other location to maintain visual or physical proximity to the person is sufficient to find that the alleged stalker follows the person. It is not necessary to establish that the alleged stalker follows the person while in transit from one location to another.

(c) "Harasses" means unlawful harassment as defined in RCW 10.14.020.

(d) "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person.

(e) "Repeatedly" means on two or more separate occasions.

### **Cyberstalking (RCW 9.61.260(1))**

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

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

(b) Anonymously or repeatedly whether or not conversation occurs; or

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

(2) Cyberstalking is a gross misdemeanor, except as provided in subsection (3) of this section.

(3) Cyberstalking is a class C felony if either of the following applies:

(a) The perpetrator has previously been convicted of the crime of harassment, as defined in RCW 9A.46.060, with the same victim or a member of the victim's family or household or any person specifically named in a no-contact order or no-harassment order in this or any other state; or

(b) The perpetrator engages in the behavior prohibited under subsection (1)(c) of this section by threatening to kill the person threatened or any other person.

(4) Any offense committed under this section may be deemed to have been committed either at the place from which the communication was made or at the place where the communication was received.

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

### **(HEOA) Notification to Victims of Crimes of Violence**

The College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such The College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

## Sex Offender Registration (Megan's Law)

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000 (Megan's Law), requires The Colleges of higher education to issue a statement advising the campus community where law enforcement agency information, provided by a state concerning registered sex offenders, may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, to each The College of higher education, in that state at which the person is employed, carries on a vocation, or is a student.

### RCW 9A.44.130

Registration of sex offenders and kidnapping offenders—Procedures—Definition—Penalties. (1)(a) Any adult or juvenile residing whether or not the person has a fixed residence, or who is a student, is employed, or carries on a vocation in this state who has been found to have committed or has been convicted of any sex offense or kidnapping offense, or who has been found not guilty by reason of insanity under chapter 10.77 RCW of committing any sex offense or kidnapping offense, shall register with the county sheriff for the county of the person's residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation, or as otherwise specified in this section. When a person required to register under this section is in custody of the state department of corrections, the state department of social and health services, a local division of youth services, or a local jail or juvenile detention facility as a result of a sex offense or kidnapping offense, the person shall also register at the time of release from custody with an official designated by the agency that has jurisdiction over the person.

In addition, any such adult or juvenile who is admitted to a public or private The College of higher education shall, within ten (10) days of enrolling or by the first business day after arriving at the College, whichever is earlier, notify the sheriff of the county of the person's residence of the person's intent to attend the College. The sheriff shall notify the College's department of public safety and shall provide that department with the person's: name; address; date and place of birth; place of employment; crime for which convicted; date and place of conviction; aliases used; social security number; photograph; and fingerprints.

In the State of Washington, the Washington State Patrol and local Sheriff's Office (King County Sheriff's Office) maintain sex offender information. When sex offender information is received from local law enforcement agencies the Campus Security Department cross checks the information against current lists of registered students and employees to determine if additional notification of the college community is warranted. When necessary, sex offender information is made as a college alert. King County Sheriff has information about registered sex offenders in the area of our campus: <https://www.kingcounty.gov/depts/sheriff/sex-offender-search.aspx>.

## Emergency Management

The Department assists with developing, maintaining, and implementing emergency operations plans, developing and conducting exercises, hazard and risk education, and building

partnerships with external response agencies. The Department is responsible for assisting with and coordinating the College's overarching mitigation, preparedness, response and recovery programs. Each campus, within the Seattle Colleges system, maintains an emergency management program. Within the context of these programs, each campus develops and distributes emergency response procedures to students and employees. These procedures are posted in conspicuous locations on campus and in classrooms. The College's Emergency Action Plan, is available at:

<http://www.seattlecolleges.edu/district/emergencies/workplace911.aspx>

## **Emergency Evacuation Drills**

An evacuation drill is coordinated by the Campus Safety and Security Department during each academic school year for all buildings on the College's main campus. Thus, the emergency response and evacuation procedures are tested yearly for the entire campus. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At North Seattle College, evacuation drills are used to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the College an opportunity to test the operation of fire alarm system components. Evacuation drills are monitored by Campus Security and the College's Health and Safety Committee to evaluate egress and behavioral patterns.

In conjunction with other emergency agencies, the College conducts emergency response drills and exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the College.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

A report is prepared by the College's Public Information Office that identifies deficiencies and recommends improvements to the appropriate departments/offices for consideration. Students receive information about evacuation and shelter-in-place procedures during the first week of each quarter and during other educational sessions that they can participate in throughout the year. North Seattle College will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year that meets all of the requirements of the Higher Education Opportunity Act.



## **Drills, Exercises, and Training**

To ensure the Seattle College campus's emergency management plans remain current and actionable, the campuses conduct at least one exercise annually. These exercises include, but are not limited to tabletops, drills, functional, or full-scale. North Seattle College conducts after-action review of all emergency management exercises. The Department of Campus Safety and Security will work with each campus location to develop exercise scenarios. In conjunction with at least one emergency management exercise each year, the campus will notify the appropriate campus community of the exercise and remind the community of the Seattle Colleges, SeattleCollegesAlerts system, and emergency response procedures. Our emergency procedures can be viewed at:

<https://continuinged.northseattle.edu/instructor-resources/emergency-procedures>

## **Floor Monitors**

The College also has a contingency of Floor Monitors that assist with the safe and orderly evacuation of students, faculty, and staff during an emergency.

## **Medical Response**

If a staff, student, or faculty member is experiencing a medical emergency, or if someone observes another person experiencing a medical emergency, 9-1-1 should be immediately called. In addition, Campus Security should be notified at 206-934-3636.

## **Emergency Notification**

Seattle College has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire.

Individuals can report emergencies occurring at North Seattle College by calling 9-1-1 for municipal assistance and Campus Safety at (206) 934-3636.

In the event of an emergency, the Executive Director of Communications (A.K.A. Public Information Officer [PIO]) and Assistant PIO will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the College community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employee and visitors.

The North Seattle College Safety and Security Department staff is responsible for responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with campus administrators, local first responders and/or the national weather center.

If the Director, North Seattle College Safety and Security Department, or designee, in conjunction with other College administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Seattle College community, the Department and PIO will collaborate to determine the content of the message and the PIO will use some or all of the systems described below to communicate the threat to the North Seattle College Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

The PIO will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: North Seattle College Safety and Security Department, Seattle Police Department, and/or the Local Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

North Seattle College is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. North Seattle College and the Seattle Colleges uses the emergency notification system RAVE to provide alerts via SeattleCollegesAlerts (which contains email, cell phone text, voice message alert); fire alarm (where available), public address systems (where available), social media, digital signage (where available), local media, webpage and/or in person communication. If any these systems fail or the College deems it appropriate, in person communication may be used to communicate an emergency.

Seattle Colleges Alerts is an emergency notification service available to students, faculty and staff. Seattle Colleges Alerts is a closed, opt-in system  
<https://www.getrave.com/login/seattlecolleges>.

SeattleCollegesAlerts can be used to send emergency messages within minutes of the occurrence of an incident. Alerts sent by SeattleCollegesAlerts are simulcast to the College community via on campus email, Seattle's Facebook page, Twitter, or at the subscriber's choice, his/her cellular or land-line telephone. All Seattle e-mail addresses are automatically in the system and cannot be removed by the user. Students, faculty, and staff can sign up for Seattle Colleges Alerts at: <https://www.getrave.com/login/seattlecolleges>.

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm).

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the Seattle College homepage and/or social media.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the College must follow its emergency notification procedures. The College that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the College will provide adequate follow-up information to the community as needed.

## **General Evacuation Procedures**

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify North Seattle College Campus Safety and Security (206-934-3636). Always dial 9-1-1 first, for all emergencies.

1. Remain Calm
2. Do NOT use Elevators, Use the Stairs.
3. Assist the physically impaired. If he/she unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform North Seattle College Campus Safety and Security or the responding Fire Department of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

## **Shelter-in-Place Procedures –What it Means to “Shelter-in-Place”**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

## **Basic “Shelter-in-Place” Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest North Seattle College building quickly. If police or fire department personnel are on the scene, follow their directions.

## **How You Will Know to “Shelter-in-Place”**

A shelter-in-place notification may come from several sources, North Seattle College Security, other College employees, Local PD, or other authorities utilizing the College’s emergency communications tools.

## How to “Shelter-in-Place”

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - An interior room;
  - Above ground level; and
  - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. College staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to North Seattle College Security so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.



## Preparedness

In addition to practicing drills in order to stay prepared, the College has also created and placed Emergency Procedures posters throughout the campus that students, faculty, and staff can refer to.

## Timely Warning Reports

When the Public Information Officer (or designee) becomes aware of serious crime(s), (including but not limited to Clery crimes) or a pattern of crimes that occur within Clery defined geography (On Campus and Public Property), and it is determined that the incident may pose

a serious, or an ongoing threat to members of the North Seattle College community, the PIO or a designee will develop and disseminate timely warning notices for the campus community.

The objective of issuing timely warnings is to aid in the prevention of similar crimes. Timely warnings will be disseminated by using the RAVE Alert System. Such notification will include email, voicemail, electronic message boards, automated phone calls and text messaging. Print copies of messages will be posted on entrances and exits to all accessible buildings.

The College does not issue timely warnings if the subject(s) has/have been apprehended, and the threat of imminent danger for members of the NSC community has been mitigated by the apprehension; if the crime was not reported to a Campus Security Authority or the Department of Campus Safety and Security, or if a Campus Security Authority or the Department of Campus Safety and Security were not notified of the crime in a manner that would allow the Department to post a timely warning for the community.

**Note:** The College is not required to include a timely warning with respect to crimes reported to a pastoral or professional counselor.

A *timely warning* notice will include as much information available as to effectively warn the campus community without compromising law enforcement efforts or the confidentiality of the reporting party. The description of the subjects in a case will only be included in the alert if there is enough detail to describe the individual.

Timely Warnings are issued for the following crimes: arson, aggravated assault, criminal homicide, robbery, burglary, sexual assaults, and hate crimes.

For incidents involving off-campus crimes, the College may issue a Timely Warning if the crime occurred in a location used and frequented by the College community.

Anyone with information warranting a timely warning should report the circumstances to the Campus Safety by phone 206-934-3636, or in person at the Campus Security Office located in Room CC1252. The Department discloses all incidents reported that fall into any of the required reporting classifications as a statistic in this Annual Security (Clery) Report.

The Department culls the statistical data for this report from multiple sources, including the Campus Security department's internal reporting system. Campus Safety also request statistical information from all Campus Security Authorities (as defined by Federal law) and from deans, directors, and department heads.

## **Student Conduct**

The mission of the Office of Student Conduct is to promote a safe, orderly, and civil College community and to encourage and inspire students to become good citizens by engaging in personal responsibility, ethical decision making, and demonstrating respect for the rights and safety of others.

## **The Student Code of Conduct**

The Office of Student Conduct is responsible for administering the Student Code of Conduct, which articulates the behavioral standards and the equitable procedures employed by the College to respond to allegations of student misconduct. Students who are found responsible for violations may be subject to sanctions ranging from Conduct Conversation or Conduct Probation to Suspension or Expulsion from the College.

In most cases, the Office of Student Conduct will also assign developmental and educational interventions designed to promote greater awareness and improved decision making for students and to further deter future misconduct. In instances where a student's conduct, behavior, or other objective evidence provides a reasonable cause to believe a student is an immediate and significant threat to the health or safety of other persons, to property of the College or others, to disrupting essential campus operations, or to the student's own health or safety, the Office of Student Conduct may assign an Interim Suspension and/ or other interim actions that are designed to protect the health and safety of the community and members therein.

The Office of Student Conduct is also responsible for conducting re-enrollment, and continuing enrollment reviews for returning or current students with known behavioral problems. Any individual or entity may submit reports alleging student misconduct to the Office of Student Conduct. The Office of Student Conduct also provides outreach programming designed to inform and educate.

## **Campus Security Policies; Crime Prevention and Safety Awareness Programs**

One of the essential ingredients of any successful crime prevention program is an informed public. It is the intent of the North Seattle College to inform students of good crime prevention and security awareness practices.

During the 2019-2020 academic year, topics such as personal safety, drug and alcohol abuse awareness and sexual assault prevention are examples of programs offered during the 2019-2020 academic year.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others. Participants in these programs are asked to be alert, security-conscious and involved and advised to call the North Seattle College Safety and Security Department to report suspicious behavior. For additional questions regarding crime prevention, contact the department directly at (206) 934-3636.

As part of the department's community-oriented policing philosophy, The Department offers crime prevention presentations each semester to classrooms, campus clubs and student groups as requested. Presentation topics include personal safety awareness and property protection strategies. Anyone interested in having a Security Officer speak to his or her classroom or group should contact them at (206) 934-3636.

In addition to the many programs offered by the Campus Safety and Security Department and other College offices, the College will be or has established a number of policies and procedures related to ensuring a reasonably safe campus community. These policies include:

### **Weapons Policy**

The possession, carrying, and use of weapons, ammunition, or explosives is prohibited on College owned, or controlled property. The only exception to this policy is for authorized law enforcement officers, or others specifically authorized by the College. Failure to comply with the College weapons policy will result in disciplinary action against violators.

### **Washington State Crime Victims' Rights (RCW 7.69.030)**

There shall be a reasonable effort made to ensure that victims, survivors of victims, and witnesses of crimes have the following rights, which apply to any criminal court and/or juvenile court proceeding:

1. With respect to victims of violent or sex crimes, to receive, at the time of reporting the crime to law enforcement officials, a written statement of the rights of crime victims as provided in this chapter. The written statement shall include the name, address, and telephone number of a county or local crime victim/witness program, if such a crime victim/witness program exists in the county;
2. To be informed by local law enforcement agencies or the prosecuting attorney of the final disposition of the case in which the victim, survivor, or witness is involved;
3. To be notified by the party who issued the subpoena that a court proceeding to which they have been subpoenaed will not occur as scheduled, in order to save the person an unnecessary trip to court;
4. To receive protection from harm and threats of harm arising out of cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available;
5. To be informed of the procedure to be followed to apply for and receive any witness fees to which they are entitled;
6. To be provided, whenever practical, a secure waiting area during court proceedings that does not require them to be in close proximity to defendants and families or friends of defendants;
7. To have any stolen or other personal property expeditiously returned by law enforcement agencies or the superior court when no longer needed as evidence. When feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis, and property of which ownership is disputed, shall be

photographed and returned to the owner within ten (10) days of being taken;

8. To be provided with appropriate employer intercession services to ensure that employers of victims, survivors of victims, and witnesses of crime will cooperate with the criminal justice process in order to minimize an employee's loss of pay and other benefits resulting from court appearance;
9. To access to immediate medical assistance and not to be detained for an unreasonable length of time by a law enforcement agency before having such assistance administered. However, an employee of the law enforcement agency may, if necessary, accompany the person to a medical facility to question the person about the criminal incident if the questioning does not hinder the administration of medical assistance. Victims of domestic violence, sexual assault, or stalking, as defined in RCW [49.76.020](#), shall be notified of their right to reasonable leave from employment under Chapter [49.76](#) RCW;
10. With respect to victims of violent and sex crimes, to have a crime victim advocate from a crime victim/witness program, or any other support person of the victim's choosing, present at any prosecutorial or defense interviews with the victim, and at any judicial proceedings related to criminal acts committed against the victim. This subsection applies if practical and if the presence of the crime victim advocate or support person does not cause any unnecessary delay in the investigation or prosecution of the case. The role of the crime victim advocate is to provide emotional support to the crime victim;
11. With respect to victims and survivors of victims, to be physically present in court during trial, or if subpoenaed to testify, to be scheduled as early as practical in the proceedings in order to be physically present during trial after testifying and not to be excluded solely because they have testified;
12. With respect to victims and survivors of victims, to be informed by the prosecuting attorney of the date, time, and place of the trial and of the sentencing hearing for felony convictions upon request by a victim or survivor;
13. To submit a victim impact statement or report to the court, with the assistance of the prosecuting attorney, if requested, which shall be included in all presentence reports and permanently included in the files and records accompanying the offender committed to the custody of a state agency or The College;
14. With respect to victims and survivors of victims, to present a statement personally or by representation, at the sentencing hearing for felony convictions; and
15. With respect to victims and survivors of victims, to entry of an order of restitution by the court in all felony cases, even when the offender is sentenced to confinement, unless extraordinary circumstances exist which make restitution inappropriate in the court's judgment.



## Health and Safety Inspections

The City of Seattle Fire Department conducts annual inspections of all North Seattle College Buildings. Such are designed to prevent, find and/or eliminate safety violations. The inspections include, but are not limited to, a visual examination of electrical cords, sprinkler heads, smoke detectors, fire extinguishers and other life safety systems. In addition, each room will be examined for the presence of prohibited items or prohibited activity (e.g., tampering with life safety equipment; etc.).

## Fire Safety Tips

Buildings are equipped with a variety of features that are designed to detect, stop and/or suppress the spread of a fire. A door can be the first line of defense against the spread of smoke or fire from one area to another. Some doors, such as fire doors in corridors, are designed to stand up to fire longer than those of an individual room. It is important that these doors are CLOSED for them to work. Additionally, if a door has a device that automatically closes the door, it should NOT be propped open. Sprinklers are 98% effective in preventing the spread of fire when operating properly.

DO NOT obstruct the sprinkler heads with materials hanging from the piping. Smoke detectors cannot do their job if they are disabled or covered, which is a violation of College Policy.

Almost  $\frac{3}{4}$  of all fires that are caused by smoking material are the result of a cigarette being abandoned or disposed of carelessly.

Smoking is NOT PERMITTED in or within 25 feet of any North Seattle College building or on the campus except in designated areas.

## Educating Members of the College Community

Campus security and fire safety procedures are discussed during new student orientation (first day of classes during each academic quarter). Faculty and Staff explain College security, safety, and fire safety measures and procedures at North Seattle College.

## Classifications of Clery Reportable Crimes

- **Murder/Manslaughter:** defined as the willful killing of one human being by another.
- **Negligent Manslaughter:** defined as the killing of another person through gross negligence.
- **Forcible sex offenses:** defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. Including: forcible rape, forcible sodomy, sexual assault with an object, forcible fondling.
- **Nonforcible sex offense:** unlawful, non-forcible sexual intercourse, including incest and statutory rape.

- **Robbery:** defined as taking or attempting to take anything of value from the car, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault:** defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- **Burglary:** unlawful entry of a structure to commit a felony or a theft.
- **Motor Vehicle Theft:** theft or attempted theft of a motor vehicle.
- **Arson:** any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family laws of Washington State, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

- **Dating Violence:** Means violence committed by a person:

Who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship will be determined by the reporting party's statement and based on a consideration of the following factors:

1. The length of the relationship.
2. The type of relationship.
3. The frequency of interaction between the persons involved in the relationship.

- **Stalking:** Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. Fear for his or her safety or the safety of others; or
2. Suffer substantial emotional distress.

A person commits the crime of stalking when the person either:

1. Engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or

2. Engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.
- **Hate Crimes:** Includes all of the crimes listed above that manifest evidence that the victim was intentionally selected because the perpetrator's bias against the victim based on one of the Categories of Prejudice listed below, plus the following crimes.
    - **Larceny/Theft:** Includes pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.
    - **Simple Assault:** Unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
    - **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.
    - **Destruction/Damage/Vandalism to Property (except Arson):** to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

### Categories of Prejudice

- **Race:** A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity that distinguish them as a distinct division of humankind.
- **Gender:** A preformed negative opinion or attitude toward a group of persons because those persons are male or female.
- **Religion:** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.
- **Sexual Orientation** – A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.
- **Ethnicity/national origin** – A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions.
- **Disability** – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.
- **Gender Identity** – A preformed negative opinion or attitude toward a group of persons because the perceived gender of those persons may be different from the gender traditionally associated with their gender at birth.

## Security and Access to Facilities

The academic and administrative buildings are open to the public during normal business hours. Most facilities have individual hours, and the hours may vary at different times of the year. After normal business hours and during breaks, these facilities are locked and only accessible to authorized individuals. The North Seattle College Safety and Security Department works to maximize coverage and ensure appropriate access controls. The Safety and Security Officers conduct routine security and safety patrols of the academic and administrative buildings to monitor conditions and report any unusual circumstances.

## Security Considerations Used in the Maintenance of Campus Facilities

North Seattle College maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. The North Seattle College Safety and Security Department works closely with Facilities Management to address burned out lights promptly as well as malfunctioning door locks or other physical conditions that enhance security. Other members of the North Seattle College community are helpful when they report equipment problems to the North Seattle College Safety and Security Department or to Facilities Management.

## Student Housing

North Seattle College currently has no student housing.

## North Seattle College Crime Statistics - Calendar Years 2017-2019

OFFENSES	ON CAMPUS			PUBLIC PROPERTY		
	2017	2018	2019	2017	2018	2019
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
Rape	0	0	0	0	1	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assaults	2	4	0	0	0	0

Burglary	5	2	4	0	0	0
Motor Vehicle Theft	2	2	1	1	1	0
Arson	0	0	1	0	0	0

Note: North Seattle College does not have student residential facilities or any non-campus locations.

### VAWA Offenses

	ON CAMPUS			PUBLIC PROPERTY		
	2017	2018	2019	2017	2018	2019
Domestic Violence	0	0	0	3	1	1
Dating Violence	0	0	0	0	0	1
Stalking	2	0	0	0	0	0

### Arrests

	ON CAMPUS			PUBLIC PROPERTY		
	2017	2018	2019	2017	2018	2019
Weapons (carrying/possessing/etc.)	0	0	0	0	0	0
Drug Abuse	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0

### Referrals

	ON CAMPUS			PUBLIC PROPERTY		
	2017	2018	2019	2017	2018	2019
Weapons (carrying/possessing/etc.)	0	0	0	0	0	0
Drug Abuse	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0

Note: North Seattle College does not have student residential facilities or any non-campus locations.

## **Unfounded Crimes**

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded" and will not otherwise be counted as a crime statistic. Only sworn or commissioned law enforcement personnel may declare a crime "unfounded".

2019: There were zero unfounded crimes on the North Seattle College campus and Clery reportable geography.

2018: There were zero unfounded crimes on the North Seattle College campus and Clery reportable geography.

2017: There were zero unfounded crimes on the North Seattle College campus and Clery reportable geography.

## **Hate Crimes**

Hate crimes are crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race (RA), religion (RE), sexual orientation (SO), gender (G), gender identity (GI), ethnicity (E), national origin (NO) or disability (D).

2019: No hate crimes were reported.

2018: One incident of simple assault occurred on campus motivated by race and two incidents of simple assault motivated by religion.

2017, No hate crimes were reported.