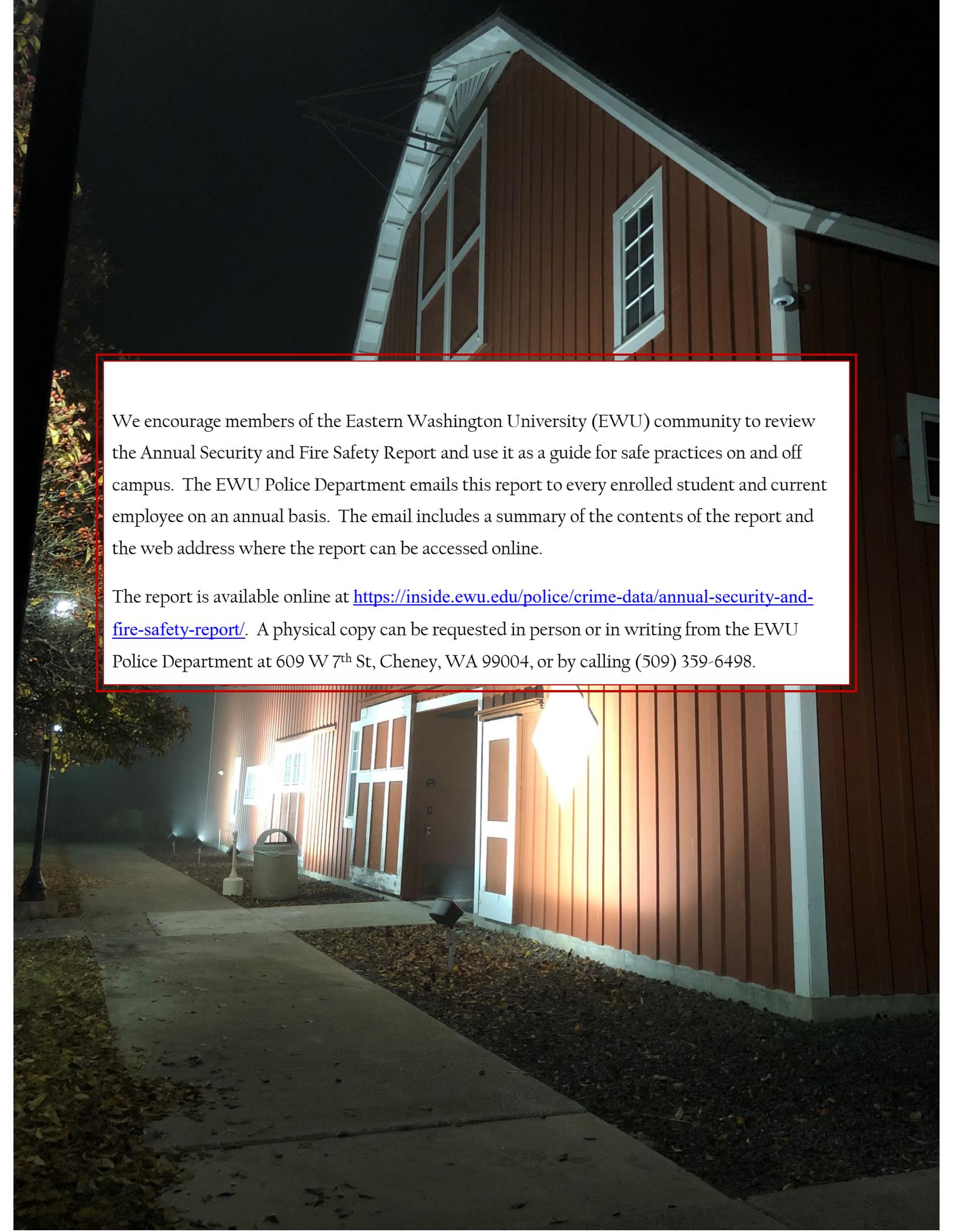


# ANNUAL SECURITY & FIRE SAFETY REPORT

Information for Eastern Washington University's Campuses  
With Statistics from 2018, 2019 & 2020



*Eastern Washington University  
526 5th St  
Cheney, WA 99004*



We encourage members of the Eastern Washington University (EWU) community to review the Annual Security and Fire Safety Report and use it as a guide for safe practices on and off campus. The EWU Police Department emails this report to every enrolled student and current employee on an annual basis. The email includes a summary of the contents of the report and the web address where the report can be accessed online.

The report is available online at <https://inside.ewu.edu/police/crime-data/annual-security-and-fire-safety-report/>. A physical copy can be requested in person or in writing from the EWU Police Department at 609 W 7<sup>th</sup> St, Cheney, WA 99004, or by calling (509) 359-6498.

# Message from the Director of Public Safety/ Chief of Police

Dear University Community:

Thank you for taking an interest in our Annual Security & Fire Safety Report. This report is published because it contains valuable information for our campus communities. With a workforce of 1,200 faculty/staff members and a student body of over 12,300, establishing and maintaining a safe campus community is a responsibility we must all take seriously. Our department's highest priority is to provide professional campus-oriented law enforcement and security services in a receptive and collaborative manner, and to make a safe work and study environment available to all.



Community oriented policing is at the heart of our success here in Eagle Country. Our department is committed to building relationships with community members while providing the highest level of service to keep our citizens safe. We have 12 commissioned police officers who patrol and protect our campus community 24 hours a day, year-round. Because of the unique nature of a university community and the activities that take place in it, EWU officers are “specialists.” They are practitioners of a kind of police work that makes them a vital and positive force in the community that they protect and serve.

We solicit your support and active participation in our safety and security efforts. We further challenge you as members of this community to act in a security conscious and proactive manner to avoid jeopardizing your safety and the safety of others. The EWU Police Department relies heavily on the campus community to report any suspicious activity, crimes in progress and other suspected criminal activity. ***If you see something, say something!***

Thank you for taking the time to review the Annual Security and Fire Safety Report. I hope that you find the report to be informative and helpful. If you have any questions or would like additional information about the crime statistics, safety and security at Eastern Washington University, please visit <https://inside.ewu.edu/police/> or contact any of our officers on patrol, or call (509) 359-7676 for assistance.

Sincerely,

Jewell Day  
Director of Public Safety/Chief of Police

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# Introduction

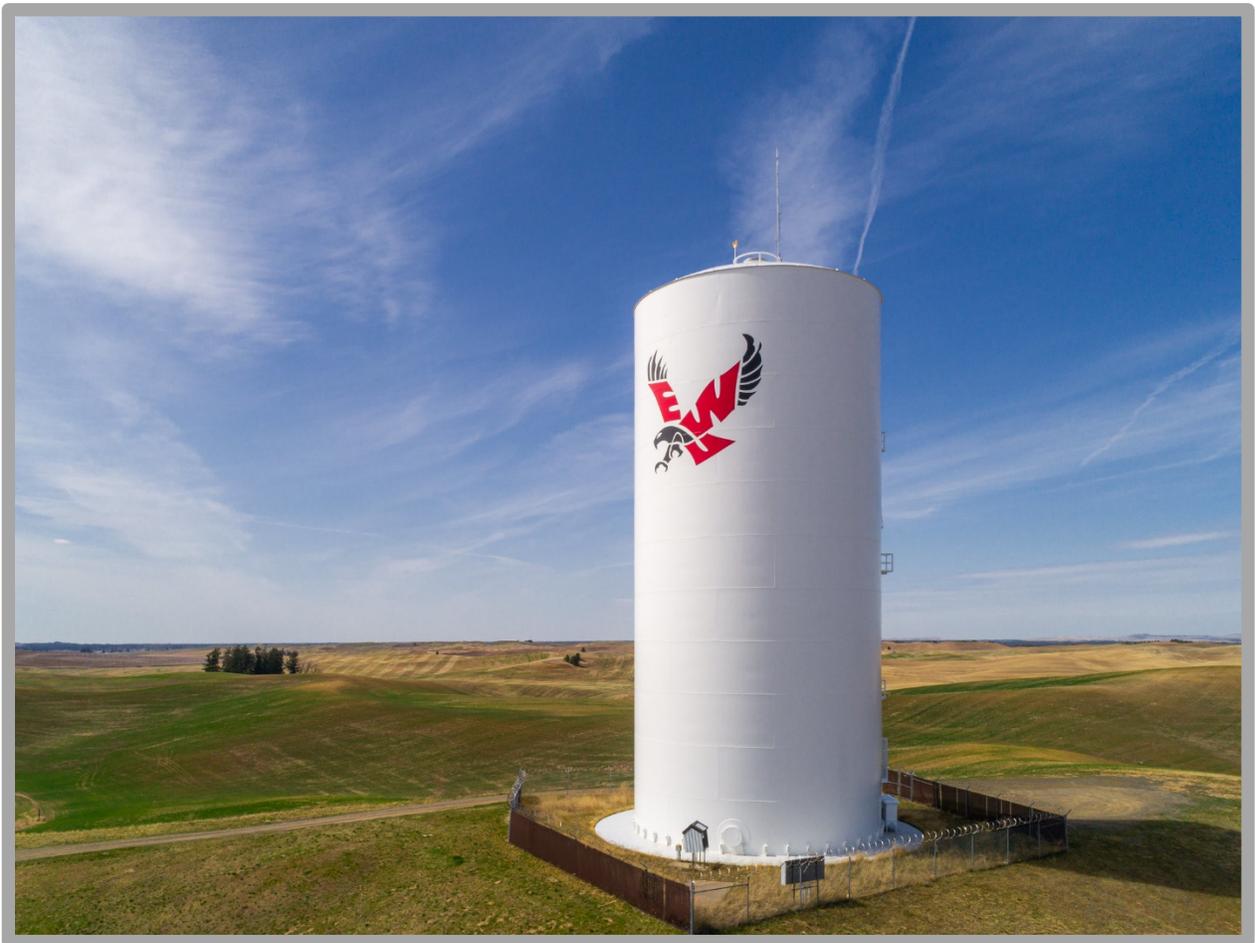
Eastern Washington University (EWU) is a regional, comprehensive public university located in Cheney, Washington, with programs offered at campuses in Cheney, Spokane and other locations throughout the state. On the EWU Cheney campus, campus safety and security are shared responsibilities. Many departments are dedicated to making the campus a safer place to live and work. The University relies on every community member to contribute to safety and security on campus by reporting crime and suspicious activities in a timely manner and using common sense when going about daily activities. The following information is provided to share our commitment to the security of our community, and to provide information about our campus security policies and procedures, safety programs and resources.

## **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**

Access to campus safety and security information is critical for prospective students and their families when choosing the right college or university to attend, and for faculty and staff who are deciding where to work and build a career. It is equally important for current students and employees to have access to this information while studying and working at EWU. In 1990, Congress enacted the Crime Awareness and Campus Security Act, amending the Higher Education Act of 1965. Further amendments in 1998 renamed it the Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act, also known as the Clery Act. All public and private postsecondary institutions that participate in Title IV student financial assistance programs must comply with the Clery Act and its mandates.

This 2020 Annual Security and Fire Safety Report is provided in accordance with the Clery Act. It is required that a copy of Eastern Washington University's Clery Act Report be provided to each employee and student, as well as each prospective employee and student. This report includes statistical information for 2020 and the two previous calendar years concerning reported crimes which occurred on EWU's campus, in certain off-campus buildings or properties owned or controlled by EWU and on public property within, or immediately

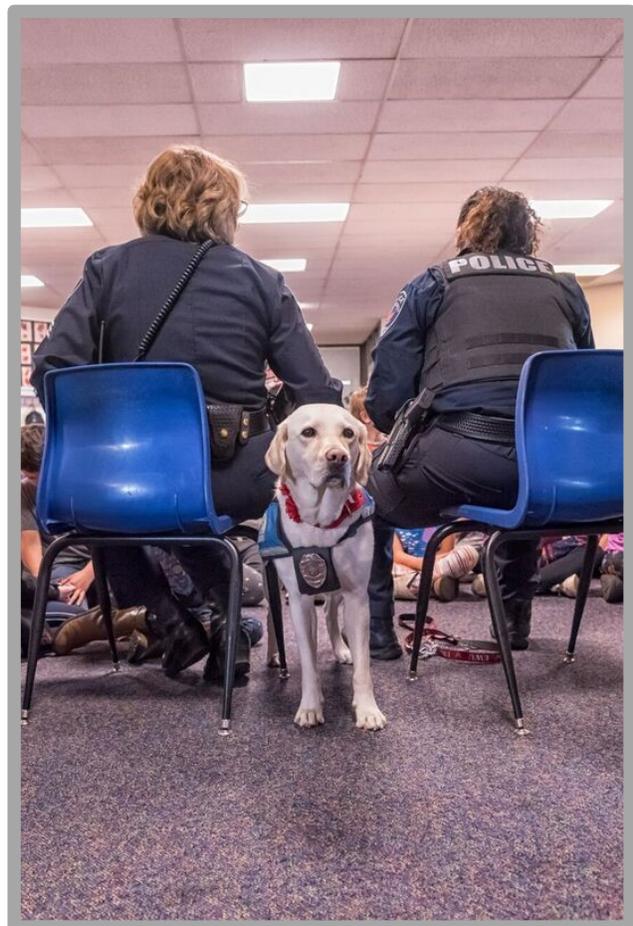
adjacent to and accessible from, EWU's campus. The report also includes institutional policies relating to campus security issues, such as policies and/or procedures regarding sexual assault, alcohol use, and the Drug-Free Schools Act, as well statements of fire safety policies and procedures and includes EWU's fire safety statistics for the past three calendar years.



# The EWU Police Department

Eastern Washington University Police Department (EWUPD) is a fully commissioned law enforcement agency. As commissioned officers, they have authority to arrest and the ability to act upon probable cause, conduct search and seizures, and investigate criminal activity. As a law enforcement agency, they have access to state and federal criminal history records and criminal intelligence. This enhances their ability to provide a greater level of protection. EWUPD is better able to serve the EWU community by partnering with local, state, and federal law enforcement agencies to keep informed on current trends and criminal activity, with an emphasis on public service.

EWUPD has adopted community policing as a department-wide philosophy. Community policing is a collaboration between police and the community that helps to identify and solve community problems, involving all members of the community as active allies to enhance safety. EWUPD is optimizing outreach efforts to build trust and legitimacy by treating people with dignity and respect; giving individuals “voice” during encounters; being neutral and transparent in decision making; and conveying trustworthy motives. Pursuant to the President’s Task Force recommendations, EWUPD is striving to create a workforce that reflects the community it serves, and contains a broad diversity including race, gender, language, life experience and cultural background to improve understanding and effectiveness in dealing with all communities.



As part of EWU Police Department's emphasis on public service to the university community, they provide services such as vehicle and door unlocks, vehicle battery jumps, lost and found services, criminal and non-criminal fingerprinting, bicycle registration, training, crime prevention programs, ride-alongs, vehicle safety checks, engraving of valuables and other public services. The EWU Police Department has the following personnel:

## Department Personnel

### Administration

Director of Public Safety/Chief of Police	1
Deputy Chief	1
Administrative Assistant	1

### Commissioned Officers

Sergeants	1
Detective/Investigator	1
Patrol Officers	6
K9 Officer	1

### Student Assistants

Office Assistant	1
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## Mission, Values, and Goals

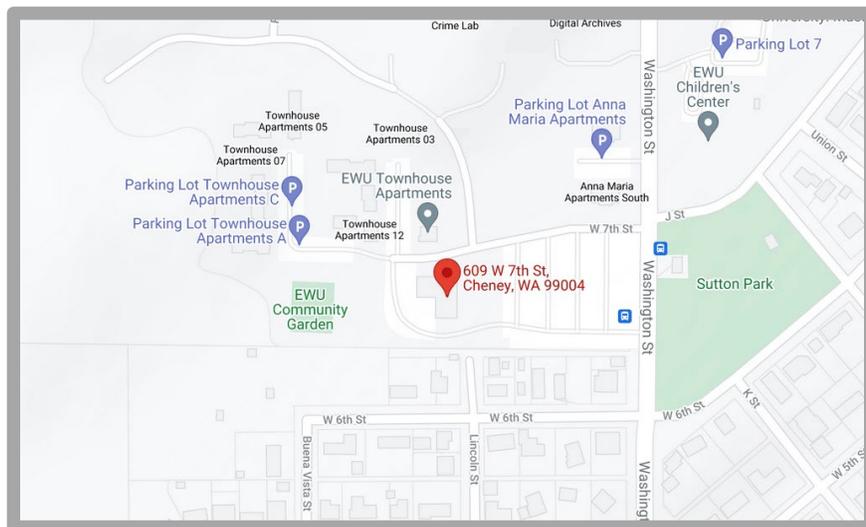
**Mission** - We are committed to continuously working in partnership with our diverse campus community so together we may foster trust, reduce incidents of crime and promote safety through education and enforcement.

**Values** - Treat all people fairly and with respect. Foster a mutually beneficial relationship with the public. Provide fair, impartial and professional community-based policing by exemplifying the highest standard of conduct.

**Goals** - To serve the University community by protecting life and property. To ensure all persons are treated fairly and with respect, while preserving State and Federal laws. To encourage unity and the appreciation of cultural and racial diversity for all members of the University community.

## Location of University Police

The Eastern Washington University Police Department is located in the Red Barn at 609 W 7<sup>th</sup> Street in Cheney, WA. The Red Barn administrative operations are conducted during normal business hours, 8:00 am to 5:00 pm, Monday-Friday and the administrative office can be reached at 509.359.6498. Non-emergency police assistance can be obtained any time by calling the Crime Check line at 509.359-7676. In an emergency, call 911.



## Working Relationships

EWUPD maintains a close working relationship with Cheney Police Department (CPD) and Spokane County Sheriff's Office; EWUPD occasionally works with other law enforcement agencies, including the Washington State Patrol, FBI, Airway Heights PD, and Liberty Lake PD. There is an Interlocal Agreement for computer-aided dispatch (CAD), records management and mobile applications through Spokane County and Spokane Regional Emergency Communications. EWUPD has an agreement with Cheney Police Department for record data entry and hit confirmation services. These agencies share information for investigation purposes regarding criminal activity on and off campus, including incidents occurring at off-campus facilities owned by student organizations recognized by EWU, to ensure the safety and well-being of all Eastern Washington University community members. In addition, EWUPD personnel attend recurrent formal and informal meetings and trainings with state, county, local and federal law enforcement agencies. The prosecution of criminal offenses, both felony and misdemeanor, are conducted at the Municipal, Superior, and Federal Courts in Cheney and Spokane.



# Reporting Procedures

## General Procedures for Reporting a Crime or Emergency

To promote campus safety, comply with federal law, and protect people and property from future crime, crimes should be reported to the EWU Police Department. Per EWU Policy 603-01 (Campus Safety, Security & Crime Prevention), all employees, except licensed professional mental health counselors, are mandated to report any crime that they have knowledge of that occurs on campus, in our Clery geography or University leased facilities, to the police or a university campus security authority (CSA). In addition to notifying EWUPD, all employees, except licensed mental health counselors who become aware of an incident or complaint of sexual harassment or sexual misconduct involving a student must report it to the Title IX Coordinator within 24 hours of becoming aware of the matter.

If you are the victim of a crime on campus, or if you witness a crime, report it immediately. Remember, a crime that is not reported helps no one. Witnesses to crimes are highly encouraged to report any crimes they observe, as the victim may be unwilling or unable to do so. Your information may assist the police in making an arrest or aiding with the saving of a life and the recovery of property.

### TO REPORT A CRIME EWU MAIN CAMPUS

Crimes or emergencies on campus should immediately be reported to EWUPD by dialing:

Emergency: 911  
Non-Emergency: 509-359-7676

Cheney crimes occurring off-campus can be reported by calling:

Emergency: 911  
Non-Emergency: 509-498-9235

### TO REPORT A CRIME EWU SPOKANE CAMPUS

Emergencies on campus should immediately be reported by dialing 911.

In the Catalyst Building, non-emergency reports can be made to Spokane County Crime Check, (509) 456-2233.

In the Health Sciences Building, non-emergency reports can be made to Spokane County Crime Check, (509) 456-2233 or by dialing #40 from campus phones

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**TO REPORT A CRIME  
EWU @ BELLEVUE**

Crimes or emergencies on campus should immediately be reported by dialing:

Emergency: 911  
Then contact BC Public Safety Dept. at  
(425) 564-2400

In a non-emergency:  
Bellevue Police may be reached at  
(425) 452-6917

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**TO REPORT A CRIME  
EWU @ EVERETT CC**

Crimes or emergencies on campus should immediately be reported by dialing:

Emergency: 911  
Then contact ECC Security Office at  
(425) 388-9990

In a non-emergency contact  
ECC Security Office at  
(425) 452-6917 or  
oasecurity@everettcc.edu

## Anonymity and Confidential Reporting

If you are the victim of a crime and do not want to pursue criminal action, or you are a witness to a crime and do not want to reveal your identity, you may make a confidential report of the incident to EWU Police Department. EWUPD maintains an Anonymous Tip Line (509.359.4286) and an online reporting form (<https://inside.ewu.edu/police/report-a-crime/>) for individuals who wish to report a crime and remain anonymous. The purpose of a confidential report is to maintain the reporting individual's confidentiality, while helping EWUPD protect the safety of the community. This information also helps the university maintain accurate records of incidents occurring on campus, to determine if there are trends or a pattern of crime, and alert the campus community to potential dangers when appropriate.

To facilitate the investigative process and protect the privacy of those involved, information gathered by EWU Police will be maintained in a confidential manner to the fullest extent possible during the pendency of a criminal investigation. Per RCW 42.56.240, complainants, victims and witnesses can request nondisclosure when a complaint is filed to exempt their identity from public disclosure. In the event of a nondisclosure request, police will take all reasonable steps to investigate the allegation without disclosing the name of the victim/witness to the extent allowed by state and federal law. Ultimately, the university cannot ensure confidentiality of victim and witness names, because legal and contractual obligations may require disclosure.

## Code Blue Stations

Dedicated emergency phones can be found at various outdoor locations throughout the campus. A map of code blue stations is below:

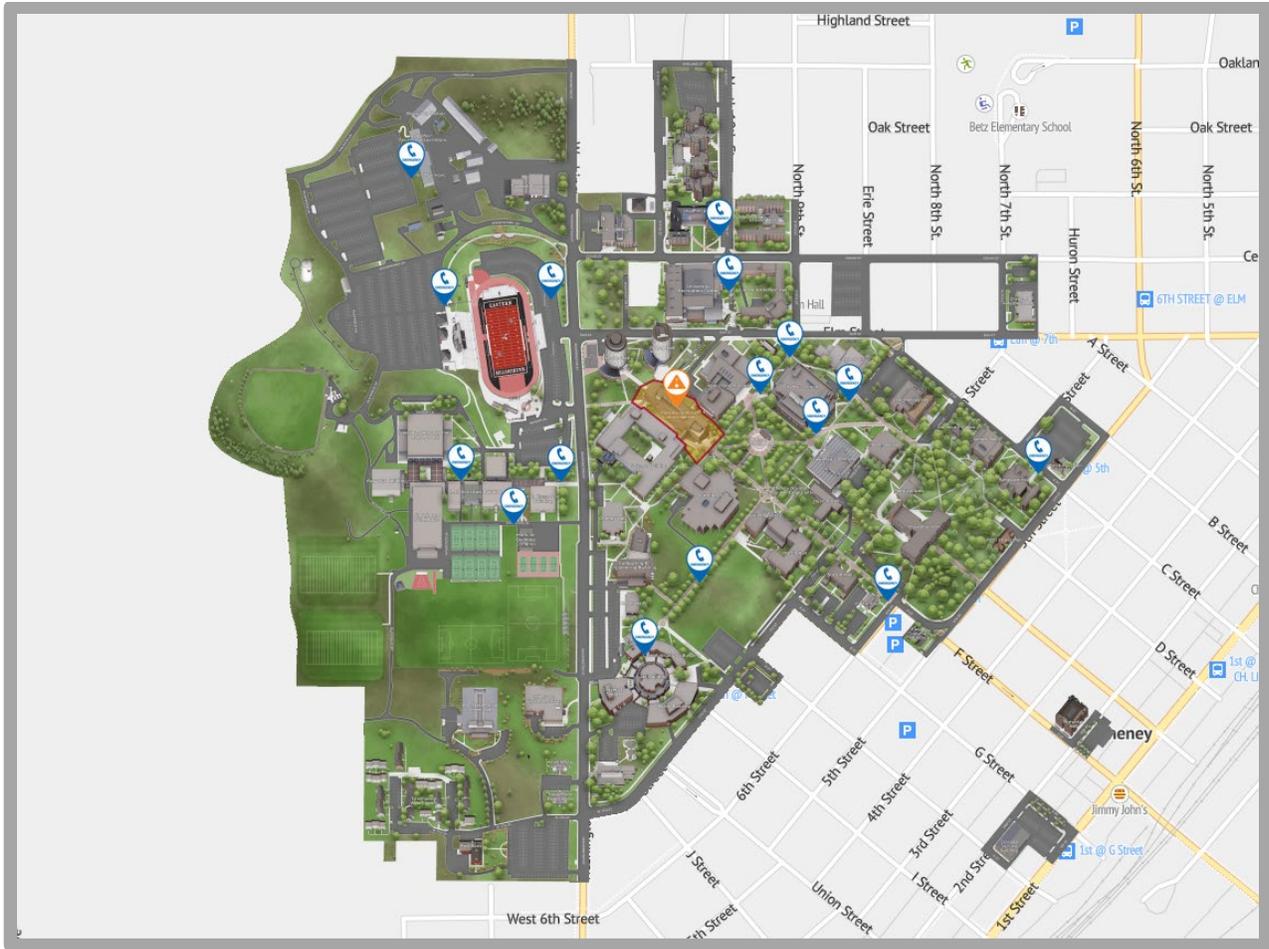
### EWU MAIN CAMPUS ANONYMOUS TIP LINE

EWUPD has an anonymous tip line for anonymous reporting of security and safety related concerns. The tip line can also be used to provide EWUPD with "tips" about criminal incidents on campus.

TIP LINE: 509-359-4286

Additionally, tips can be reported via the online crime reporting form:  
<https://inside.ewu.edu/police/report-a-crime/>

In an emergency, call 911.



These stations are for the protection of persons on campus, and may be used to report suspicious activity, crimes in progress or any emergency. These phones are push-button operated and are topped by distinctive blue lights for easy identification. They provide a direct, open connection to 911. A dispatcher will identify the location of the phone being used, even if nothing is said by the user, and will dispatch police personnel as necessary. If possible, stay at the unit and give information to the operator until help arrives. If you leave the area before talking to the operator, it will delay our ability to assist you. Remain calm, give the information into the speaker and follow instructions



given by the operator. Help will arrive as soon as possible. False reporting by activating a Code Blue station is a crime and will be treated accordingly.

## **University Response**

The University President has the ultimate authority relating to all issues and incidents related to campus safety and security. The President may, as deemed necessary, take immediate action to ensure the safety and security of the campus and community. The Director of Public Safety/Chief of Police keeps the President apprised in times of emergent situations on campus and directs the police department. EWUPD has primary responsibility for crime reporting, campus safety, safety notifications, crime prevention training and awareness, and emergency management.

EWUPD responds to all reported incidents of violence on campus and intervenes as necessary to protect the safety of all persons and property. Student Affairs assists EWU Police in responding to safety concerns involving students, addressing any criminal behavior as appropriate under the student conduct code, and providing students with crime prevention training and materials. Human Resources assists EWU Police and supervisors in responding to safety concerns in the workplace, facilitates appropriate responses to reported incidents of criminal behavior by employees through professional development, investigation and/or discipline, and ensures all new employees receive crime prevention training and materials as required by policy. Records and Registration ensures each student is provided with campus violence awareness information by including such information in annual catalogs and/or quarterly course announcements.

# Timely Warning Notices

Campus-wide timely warning notices will be issued to students and employees for crimes that meet Clery Act criteria and that, in the judgment of the University President, the Director of Public Safety, or designee constitute a serious or ongoing threat to the health and safety of the EWU community. The decision to issue a timely warning is decided on a case-by-case basis, in light of the facts surrounding a crime, including factors such as the nature of a crime, continuing danger to the campus community and the possible risk of compromising law enforcement efforts. Anyone with information warranting a timely warning notice should report the circumstances to the EWU Police, by calling 509.359.7676, or in an emergency by dialing 911.

The University is not required to provide a timely warning for crimes reported to licensed professional counselors employed by EWU's Counseling and Wellness Services (CWS) or for non-Clery reportable crimes. Licensed professional counselors employed by CWS are encouraged to inform persons being counseled of the procedures to report crimes on a voluntary basis, if and when they deem it appropriate.



## Timely Warning Notice Procedures

Timely warnings are issued by the Director of Public Safety once pertinent information is made available. The Director of Public Safety will decide the method(s) to be used for the timely warning, and is responsible for ensuring distribution of timely warning notices to the University community. The Director of Public Safety or designee will create the message using available information on a case-by-case basis, and will generate the notifications or direct other staff, such as the Public Information Officer, Lieutenant, or Administrative Assistant to generate the messages. If the threat posed is immediate, the University will follow the emergency notification procedures (described in the Emergency Response and Evacuations chapter).

Timely warnings may be issued through several means of communication, such as: the snow line (509) 359-7669, campus-wide email, the EWU Alerts System, @EWUPolice twitter feed, Facebook, messages visible on computer screens logged into the University network system, and other electronic communication channels. Additionally, depending on the circumstances, warnings may also be issued through any or all of the following:

- EWU web banner;
- Notice posted on the EWU Emergency Information web page:  
<https://www.ewu.edu/emergency/>;
- EWU Timely Warning history web page:  
<https://inside.ewu.edu/police/ewu-timely-warnings/>;
- Written notice through inter-campus mail systems;
- Classroom announcements by faculty; and
- Notices posted in university facilities and other public places.

## Content of a Timely Warning

All Timely Warnings should include, at a minimum, the following information, if available and/or appropriate:

- What the reported offense is;
- Description and name of suspect(s) if known;

- Description of what happened including such things as location, date(s), time of day/night, behavior of suspects, etc.; and
- Information that promotes safety and that would aid in prevention of similar crimes.

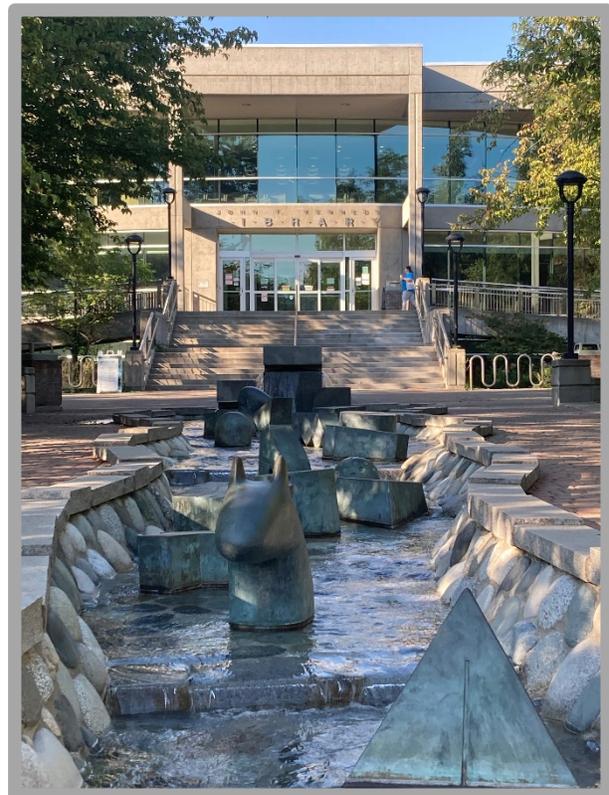
Including the name of a suspect in a timely warning is not a violation of the Family Education Rights and Privacy Act if release of such information is taken from a law enforcement record or, if it is contained in an education record, or, if it is contained in an education record if release of such information is necessary to protect the health or safety of others in an emergency situation. Per EWU Policy 402-01, timely warnings shall not include the names of complainants/victims, nor jeopardize the confidentiality of the victim(s), as required by the Reauthorization of the Violence Against Women Act of 2013.

# Security of and Access to Campus Facilities

## Academic and Administrative Buildings

Academic and administrative buildings are generally open and accessible during business hours, on schedules that vary by building. Some of the building locks are controlled automatically through the Access Control Systems, and some are locked manually. EWU Facilities Maintenance maintains oversight and maintenance of all lock systems including electronic card access. Facilities Maintenance and the University Key shop will work with individual departments to create satisfactory Departmental Access Systems for their individual needs. Throughout the coronavirus pandemic, many of EWU's academic and administrative buildings were locked and inaccessible to the public. Campus buildings are once again open during regular business hours.

Buildings are checked periodically throughout the night by EWU Police officers. Once facilities are locked, only authorized personnel with assigned key access may lawfully enter. In the event that a campus facility, including a residence hall, is under maintenance or construction, the contractor of the project is required by the university to provide security for the facility.



## Residence Halls

All doors to residential areas are locked 24-hours a day. To discourage unwanted visitors from entering the building, it is important that students do not prop open exit doors. If a student sees someone they do not know to be a resident, the student should ask if the individual belongs in the building. It is also recommended that students keep their room door locked at all times. In

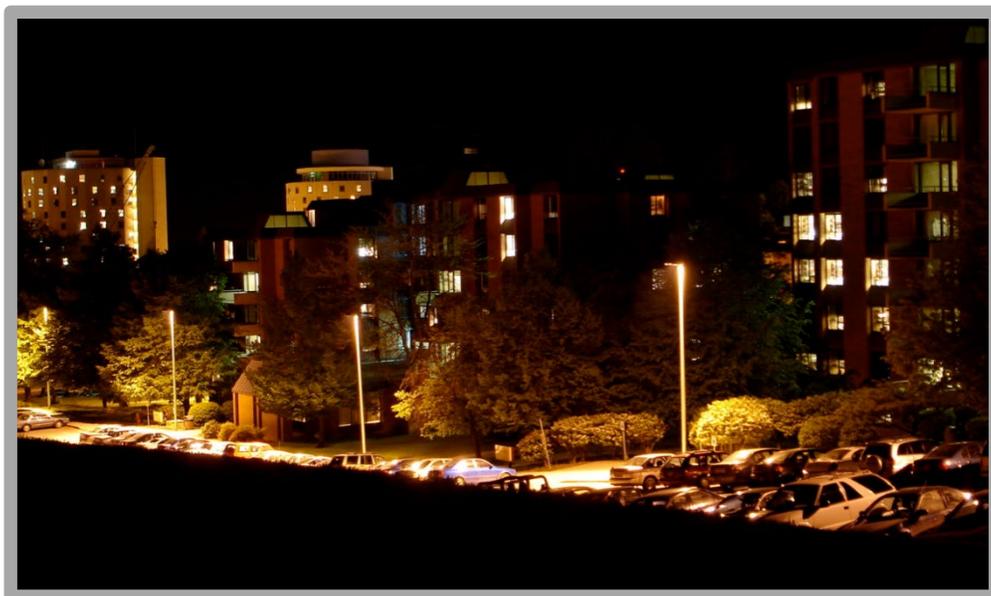
addition, all overnight guests must register at the hall office. It is also recommended for students to close and lock doors and windows while they are out of the room to prevent theft. When living on the lower floors of the building, it is particularly important to lock windows.

Each hall has an on-call staff member that comes on at 7 pm and does safety and security rounds in the evenings. In addition, EWU Police and staff will intermittently rove the building throughout the day/night. Community Advisors (CAs) will ask students to comply with the Housing and University policies and will refer instances of policy violations to the EWU Police or staff on call.

In addition to residence halls, there are on-campus student apartment complexes with individual managers. The occupants regulate access to each apartment.

## Facilities Maintenance

Campus security systems, including lighting, alarms, locks and code blue stations are actively checked and maintained. EWU Police officers actively address identified safety issues, such as lighting, traffic and pedestrian safety, as well as ensuring that routine testing is performed on electronic safety/security systems such as the blue phones and panic buttons. Facilities Maintenance personnel conduct periodic checks of the campus and surrounding areas to identify and address safety concerns.



# Crime Statistics

The statistics in this report are published according to the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and relevant federal law. Annual crimes statistics are also submitted to the Department of Education. The statistical information gathered by the Department of Education is available to the public through their website. For statistical purposes, crime statistics are recorded in the calendar year the crime was reported. Statistics are being reported per the 2016 Handbook for Campus Safety and Security Reporting.

Eastern Washington University includes the three most recent years of crime statistics in this Annual Security Report (ASR), occurring within university geography. These statistics are based on crimes reported to the EWUPD. Additionally, a written request for statistical information is made on an annual basis to:

1. Local police departments
  - Cheney Police Department
  - Spokane County Sheriff's Office
  - Washington State Patrol
2. Branch campuses
  - WSU Spokane Campus Security
  - Bellevue College Department of Public Safety
  - Clark College Security/Safety Department
  - Everett Community College Security/North Puget Sound
3. Law enforcement agencies serving our distance learning locations
  - Seattle Police Department (North Seattle Community College)
  - Everett Police Department (Everett Community College/N Puget Sound)
4. Student Rights and Responsibilities, via Maxient; and
5. Non-police officials, who include Campus Security Authorities. A designated campus authority includes, but is not limited to, university deans, directors, department heads, residence life staff, and counselors.

The Director of Public Safety and Campus Security Survey Administrator prepare and distribute this report in cooperation with other University departments, including the Office of the President, Student Affairs, Dean of Students Office, Student Rights and Responsibilities, Human Resources, Facilities, and Counseling and Wellness.

In addition, EWUPD maintains a daily crime and fire log. This log records all criminal incidents and alleged criminal incidents that are reported to EWU Police and occur within the police department's patrol jurisdiction. The log also includes all fires reported in on-campus student housing. The Daily Crime and Fire Log is available for public inspection at the Red Barn during regular business hours, and online at <https://inside.ewu.edu/police/crime-data/daily-crime-log/>.



## Definitions of Categories

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**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.

**Burglary:** The unlawful entry of a building or dwelling with intent to commit a crime against a person or property therein. This includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses.

**Dating Violence:** An act of 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 based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

*[Dating violence is defined under Washington State law as a type of domestic violence. The definition of family or household members under Washington law includes those who have been or are in a dating relationship. A dating relationship is "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." RCW 10.99.020(3), (4); 26.50.010(2), (6).]*

**Destruction/Damage/Vandalism of Property:** 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.

**Disciplinary Referrals:** Individuals referred to Student Rights and Responsibilities (SRR) for liquor law, drug law and illegal weapons violations. The numbers include incidents that are reported via EWUPD incident reports and reports provided directly to SRR from other members of the EWU community.

**Domestic Violence:** A felony or misdemeanor crime of violence committed by a current spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person that is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; adult persons related by blood or marriage; adult persons who are presently residing together or who have resided together in the past; and persons who have a biological or legal parent-child relationship; or 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 or 34 U.S.C. 12291(a)(8).

*[Under state law, the crime of domestic violence is defined in RCW 26.50.010(3) as physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault or stalking of one family or house hold member by another family or household member. Domestic violence includes but is not limited to any of the following crimes when committed by one family or household member against another family or household member, or one intimate partner against another intimate partner: (a) Assault in the first degree; (b) Assault in the second degree; (c) Assault in the third degree; (d) Assault in the fourth degree; (e) Drive-by shooting; (f) Reckless endangerment; (g) Coercion; (h) Burglary in the first degree; (i) Burglary in the second degree; (j) Criminal trespass in the first degree; (k) Criminal trespass in the second degree; (l) Malicious mischief in the first degree; (m) Malicious mischief in the second degree; (n) Malicious mischief in the third degree; (o) Kidnapping in the first degree; (p) Kidnapping in the second degree; (q) Unlawful imprisonment; (r) Violation of the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location; (s) Rape in the first degree; (t) Rape in the second degree; (u) Residential burglary; (v) Stalking; and (w) Interference with the reporting of domestic violence. RCW 10.99.020(3)]*

**Drug Law Violation:** Washington State law prohibits the any person to manufacture, deliver, or possess with intent to manufacture or deliver a controlled substance. Possession of small amounts of marijuana by someone who is 21 or older is now permitted by state law and thus referrals for such possession, which is prohibited on campus, are not included in the statistics. [Please note: Marijuana remains illegal under federal laws and policies regarding marijuana at EWU remain unchanged.]

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without 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.

*[In Washington State, 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 as described in RCW 9A.44.100.]*

**Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

*[In Washington State a person is guilty of incest if he or she engages in sexual intercourse or sexual contact with a person whom he or she knows to be related to him or her, either legitimately or illegitimately, as an ancestor, descendant, brother or sister of either the whole or the half blood.]*

**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 physical attack.

**Larceny/Theft:** The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Attempted larcenies are included.

**Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle, including joyriding.

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Rape:** The 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 consent of the victim.

*[The Washington State definition of rape (RCW 9A.44) is sexual intercourse (any penetration, however slight) of the vagina or anus or sexual contact between person involving the sex organs of one person and the mouth or anus of another, whether such persons are of the same or opposite sex where the victim did not consent to sexual intercourse or where there is threat of substantial unlawful harm to property rights of the victim.]*

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Simple Assault:** An 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.

**Stalking:** Engaging in a course of conduct directed at a specific person, including without limitation by means of following, monitoring, observing, surveilling, threatening or communicating to or about a person or interfering with a person's property, that would cause a reasonable person to fear for the person's safety or the safety of others or suffer significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.

*[Per RCW 9A.46.110, a person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime he or she intentionally and repeatedly harasses or repeatedly follows another person; and 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 the stalker either intends to frighten, intimidate, or harass the person; or 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.]*

**Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.

*[In Washington State a person is guilty of Rape of Child in the third degree when the person has sexual intercourse with another who is under the statutory age of consent as defined in RCW 9A.44.073, and 9A.44.076, 9A.44.079.]*

**Weapons Law Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons.

## Definitions of Geography

**On-Campus:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and any building or property that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

*Note: Statistics for university housing facilities are recorded and included in both the on-campus category and the on-campus residential only category.*

**Non-Campus Building or Property:** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same

reasonably contiguous geographic area of the institution.

**Public Property:** All public thoroughfares, streets, sidewalks and parking facilities, that are within the campus or immediately adjacent to and accessible from the campus. Crime statistics do not include crimes that occur in privately owned homes or businesses adjacent to the campus boundaries.

The map below shows the border of the contiguous EWU Cheney Campus, otherwise known as EWU main campus. The EWU Police jurisdiction includes all properties that are part of the Cheney Campus. Any University owned or leased property in outlying areas in Cheney is patrolled jointly by both University and City police. The EWU properties owned on and around Badger Lake, and the research facility at Turnbull, are non-campus locations for reporting purposes.



EWU campus map: Blue lines outline on-campus property.  
The bright green outline shows EWU Police jurisdiction.

## EWU Cheney Campus Crime Statistics

EWU CHENEY CAMPUS CRIMINAL OFFENSE	YEAR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
NEGLIGENT MANSLAUGHTER	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
RAPE	2020	3	3	0	0
	2019	6	5	1	0
	2018	5	3	6	0
FONDLING	2020	3	2	0	1
	2019	3	3	0	0
	2018	1	1	0	0
INCEST	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
STATUTORY RAPE	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
ROBBERY	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0
AGGRAVATED ASSAULT	2020	1	1	1	0
	2019	1	0	0	0
	2018	2	0	2	0
BURGLARY	2020	0	0	1	0
	2019	0	0	4	0
	2018	2	1	2	0

EWU CHENEY CAMPUS			RESIDENTIAL FACILITIES (subset of on-campus)		
CRIMINAL OFFENSE	YEAR	ON-CAMPUS		NON-CAMPUS	PUBLIC PROPERTY
MOTOR VEHICLE THEFT	2020	1	0	0	3
	2019	3	0	1	1
	2018	1	0	2	0
ARSON	2020	1	0	0	0
	2019	0	0	0	0
	2018	0	0	1	0
LIQUOR LAW ARRESTS	2020	6	6	0	5
	2019	35	32	0	4
	2018	28	22	0	5
LIQUOR LAW VIOLATIONS-REFERRALS	2020	21	21	2	1
	2019	18	15	5	5
	2018	63	62	0	0
DRUG LAW ARRESTS	2020	10	9	0	0
	2019	37	37	0	4
	2018	27	21	0	0
DRUG LAW VIOLATIONS-REFERRALS	2020	16	15	0	0
	2019	33	32	0	1
	2018	19	19	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	2020	0	0	0	0
	2019	1	0	0	1
	2018	0	0	1	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS-REFERRALS	2020	0	0	0	0
	2019	0	0	0	0
	2018	0	0	0	0

EWU CHENEY CAMPUS			RESIDENTIAL FACILITIES (subset of on-campus)		
CRIMINAL OFFENSE	YEAR	ON-CAMPUS		NON-CAMPUS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2020	7	7	0	0
	2019	12	4	0	0
	2018	4	4	0	0
DATING VIOLENCE	2020	0	0	0	0
	2019	1	1	0	0
	2018	3	3	1	0
STALKING	2020	1	1	0	0
	2019	11	3	1	0
	2018	6	1	0	0

There were two unfounded crimes in 2018, no crimes were unfounded in 2019, and one crime was unfounded in 2020.

## EWU Spokane Crime Statistics – Controlled by WSU

EWU SPOKANE CRIMINAL OFFENSE	YEAR	ON- CAMPUS	RESIDENTIAL FACILITIES (subset of on- campus)	NON- CAMPUS	PUBLIC PROPERTY
MURDER/NON- NEGLIGENT MANSLAUGHTER	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
NEGLIGENT MANSLAUGHTER	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
RAPE	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
FONDLING	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
INCEST	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
STATUTORY RAPE	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
ROBBERY	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
AGGRAVATED ASSAULT	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
BURGLARY	2020	0	-	0	0
	2019	1	-	0	0
	2018	0	-	0	0

EWU SPOKANE			RESIDENTIAL FACILITIES (subset of on-campus)		
CRIMINAL OFFENSE	YEAR	ON-CAMPUS		NON-CAMPUS	PUBLIC PROPERTY
MOTOR VEHICLE THEFT	2020	1	-	0	0
	2019	0	-	0	0
	2018	1	-	4	1
ARSON	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
LIQUOR LAW ARRESTS	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
LIQUOR LAW VIOLATIONS-REFERRALS	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
DRUG LAW ARRESTS	2020	0	-	0	0
	2019	0	-	0	0
	2018	1	-	0	0
DRUG LAW VIOLATIONS-REFERRALS	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS-REFERRALS	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	1	0

EWU SPOKANE CRIMINAL OFFENSE	YEAR	ON- CAMPUS	RESIDENTIAL FACILITIES (subset of on- campus)	NON- CAMPUS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2020	0	-	0	0
	2019	1	-	2	0
	2018	0	-	0	1
DATING VIOLENCE	2020		-		
	2019	0	-	0	0
	2018	0	-	0	0
STALKING	2020		-		
	2019	0	-	0	0
	2018	1	-	0	0

There were no unfounded crimes on the EWU Spokane Campus in 2018, 2019 or 2020.

The following link provides access WSU Spokane's Annual Security Report:

<https://spokane.wsu.edu/campus-security/clery-report/>

EWU at Bellevue College Campus – Controlled by Bellevue College

BELLEVUE COLLEGE			RESIDENTIAL FACILITIES (subset of on-campus)		
CRIMINAL OFFENSE	YEAR	ON-CAMPUS		NON-CAMPUS	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
NEGLIGENT MANSLAUGHTER	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
RAPE	2020	-	-	-	-
	2019	1	1	0	0
	2018	0	0	0	0
FONDLING	2020	-	-	-	-
	2019	0	0	1	0
	2018	2	1	0	0
INCEST	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
STATUTORY RAPE	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
ROBBERY	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
AGGRAVATED ASSAULT	2020	-	-	-	-
	2019	0	0	0	0
	2018	1	1	0	0
BURGLARY	2020	-	-	-	-
	2019	1	1	0	0
	2018	0	0	0	0

BELLEVUE COLLEGE CRIMINAL OFFENSE	YEAR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC PROPERTY
MOTOR VEHICLE THEFT	2020	-	-	-	-
	2019	5	0	0	9
	2018	7	0	0	4
ARSON	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
LIQUOR LAW ARRESTS	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
LIQUOR LAW VIOLATIONS-REFERRALS	2020	-	-	-	-
	2019	14	14	0	0
	2018	2	2	0	0
DRUG LAW ARRESTS	2020	-	-	-	-
	2019	0	0	0	0
	2018	1	1	0	1
DRUG LAW VIOLATIONS-REFERRALS	2020	-	-	-	-
	2019	8	5	0	0
	2018	13	5	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	2020	-	-	-	-
	2019	0	0	0	0
	2018	1	1	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS-REFERRALS	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0

BELLEVUE COLLEGE			RESIDENTIAL FACILITIES (subset of on-campus)		
CRIMINAL OFFENSE	YEAR	ON-CAMPUS		NON-CAMPUS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2020	-	-	-	-
	2019	1	0	0	0
	2018	1	0	0	0
DATING VIOLENCE	2020	-	-	-	-
	2019	2	2	0	0
	2018	2	1	0	0
STALKING	2020	-	-	-	-
	2019	19	1	0	0
	2018	10	1	0	0

There were no unfounded crimes reported by Bellevue Community College in 2018 or 2019.

At the time of publication, EWU Police Department had not received 2020 crime stats from Bellevue College. These stats will be published in next year’s report.

Bellevue College’s ASR can be viewed at:

<https://www.bellevuecollege.edu/publicsafety/information/annual-security-report/>

## EWU at Clark College Campus – Controlled by Clark College

CLARK COLLEGE CRIMINAL OFFENSE	YEAR	ON- CAMPUS	RESIDENTIAL FACILITIES (subset of on- campus)	NON- CAMPUS	PUBLIC PROPERTY
MURDER/NON- NEGLIGENT MANSLAUGHTER	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
NEGLIGENT MANSLAUGHTER	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
RAPE	2020	1	-	0	0
	2019	2	-	0	0
	2018	0	-	1	1
FONDLING	2020	0	-	0	0
	2019	0	-	0	0
	2018	1	-	0	0
INCEST	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
STATUTORY RAPE	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
ROBBERY	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	1
AGGRAVATED ASSAULT	2020	0	-	0	1
	2019	0	-	0	0
	2018	0	-	3	6
BURGLARY	2020	1	-	1	0
	2019	7	-	0	0
	2018	2	-	2	0

CLARK COLLEGE			RESIDENTIAL FACILITIES (subset of on-campus)		
CRIMINAL OFFENSE	YEAR	ON-CAMPUS		NON-CAMPUS	PUBLIC PROPERTY
MOTOR VEHICLE THEFT	2020	0	-	0	0
	2019	5	-	0	0
	2018	5	-	6	1
ARSON	2020	0	-	0	0
	2019	1	-	0	0
	2018	0	-	0	0
LIQUOR LAW ARRESTS	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
LIQUOR LAW VIOLATIONS-REFERRALS	2020	0	-	0	0
	2019	0	-	0	0
	2018	2	-	0	0
DRUG LAW ARRESTS	2020	0	-	0	1
	2019	0	-	0	0
	2018	1	-	3	1
DRUG LAW VIOLATIONS-REFERRALS	2020	0	-	0	0
	2019	0	-	0	0
	2018	1	-	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	2020	0	-	0	0
	2019	0	-	0	0
	2018	0	-	3	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS-REFERRALS	2020	0	-	0	0
	2019	1	-	0	0
	2018	0	-	0	0

CLARK COLLEGE					
CRIMINAL OFFENSE	YEAR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2020	1	-	0	0
	2019	0	-	0	0
	2018	0	-	0	0
DATING VIOLENCE	2020	0	-	0	0
	2019	0	-	0	0
	2018	2	-	1	0
STALKING	2020	0	-	1	0
	2019	5	-	1	0
	2018	3	-	0	0

No crimes were unfounded in 2018, 2019 or 2020.

Clark College's ASR can be viewed at:

<http://www.clark.edu/campus-life/student-support/security/report.php>

EWU at North Puget Sound/Everett Community College – Controlled by  
Everett Community College

EVERETT CC CRIMINAL OFFENSE	YEAR	ON- CAMPUS	RESIDENTIAL FACILITIES (subset of on- campus)	NON- CAMPUS	PUBLIC PROPERTY
MURDER/NON- NEGLIGENT MANSLAUGHTER	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
NEGLIGENT MANSLAUGHTER	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
RAPE	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	1	0
FONDLING	2020	-	-	-	-
	2019	1	0	0	0
	2018	2	0	1	0
INCEST	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
STATUTORY RAPE	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
ROBBERY	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
AGGRAVATED ASSAULT	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
BURGLARY	2020	-	-	-	-
	2019	0	0	0	0
	2018	1	0	0	0

EVERETT CC			RESIDENTIAL FACILITIES (subset of on-campus)		
CRIMINAL OFFENSE	YEAR	ON-CAMPUS		NON-CAMPUS	PUBLIC PROPERTY
MOTOR VEHICLE THEFT	2020	-	-	-	-
	2019	7	0	0	0
	2018	8	0	0	4
ARSON	2020	-	-	-	-
	2019	1	0	0	0
	2018	0	0	0	0
LIQUOR LAW ARRESTS	2020	-	-	-	-
	2019	1	0	0	0
	2018	0	0	0	2
LIQUOR LAW VIOLATIONS-REFERRALS	2020	-	-	-	-
	2019	0	0	0	0
	2018	25	25	0	0
DRUG LAW ARRESTS	2020	-	-	-	-
	2019	0	0	0	0
	2018	4	1	0	0
DRUG LAW VIOLATIONS-REFERRALS	2020	-	-	-	-
	2019	3	0	0	0
	2018	6	6	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	2020	-	-	-	-
	2019	0	0	0	0
	2018	0	0	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS-REFERRALS	2020	-	-	-	-
	2019	0	0	0	0
	2018	2	2	0	0

EVERETT CC					
CRIMINAL OFFENSE	YEAR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2020	-	-	-	-
	2019	1	0	0	0
	2018	0	0	0	0
DATING VIOLENCE	2020	-	-	-	-
	2019	1	1	0	0
	2018	2	2	0	0
STALKING	2020	-	-	-	-
	2019	1	1	0	0
	2018	2	2	0	0

No crimes were unfounded in 2018 or 2019.

At the time of publication, EWU Police Department had not received 2020 crime stats from North Puget Sound/Everett Community College. These stats will be published in next year's report.

Everett Community College's ASR can be viewed at:

<https://www.everettcc.edu/administration/cwt-security/security/campus-safety-and-security>

# Hate Crimes

Eastern Washington University (EWU) strives to foster a safe and healthy learning environment that embodies diversity and inclusion of all members of the EWU community. Hate crime statistics are separated by category of prejudice. The numbers for the Clery crime offenses are reported as part of the overall statistics each year. Exceptions to this are the addition of Simple Assault, Intimidation and any other crime involving bodily injury that isn't already included in the required reporting categories. If a hate crime occurs in an incident involving Intimidation, Vandalism, Larceny, Simple Assault, or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the document. Note: A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense that was motivated by the offender's bias.

If the facts of a case indicate that the offender was motivated to commit the offense because of his/her bias against the victim's race, sexual orientation, gender, religion, ethnicity, national origin, gender identity or disability, the crime is then also classified as a hate/bias crime.

## Hate Crimes - EWU Cheney Campus

There were no reported hate crimes in 2018. In 2019, there was one hate crime reported, which was a simple assault in an on-campus residence hall, based on race bias. In 2020, there was an aggravated assault reported at a non-campus location, with an ethnicity bias.

## Hate Crimes - Bellevue College

In 2018 two vandalism/destruction of property crimes were reported on campus; one was characterized as race bias, and one as ethnicity bias. In 2019, one vandalism/destruction of property was reported on campus, with a religion bias. Hate crimes reported for 2020 will be published in next year's report.

## Hate Crimes - Clark College

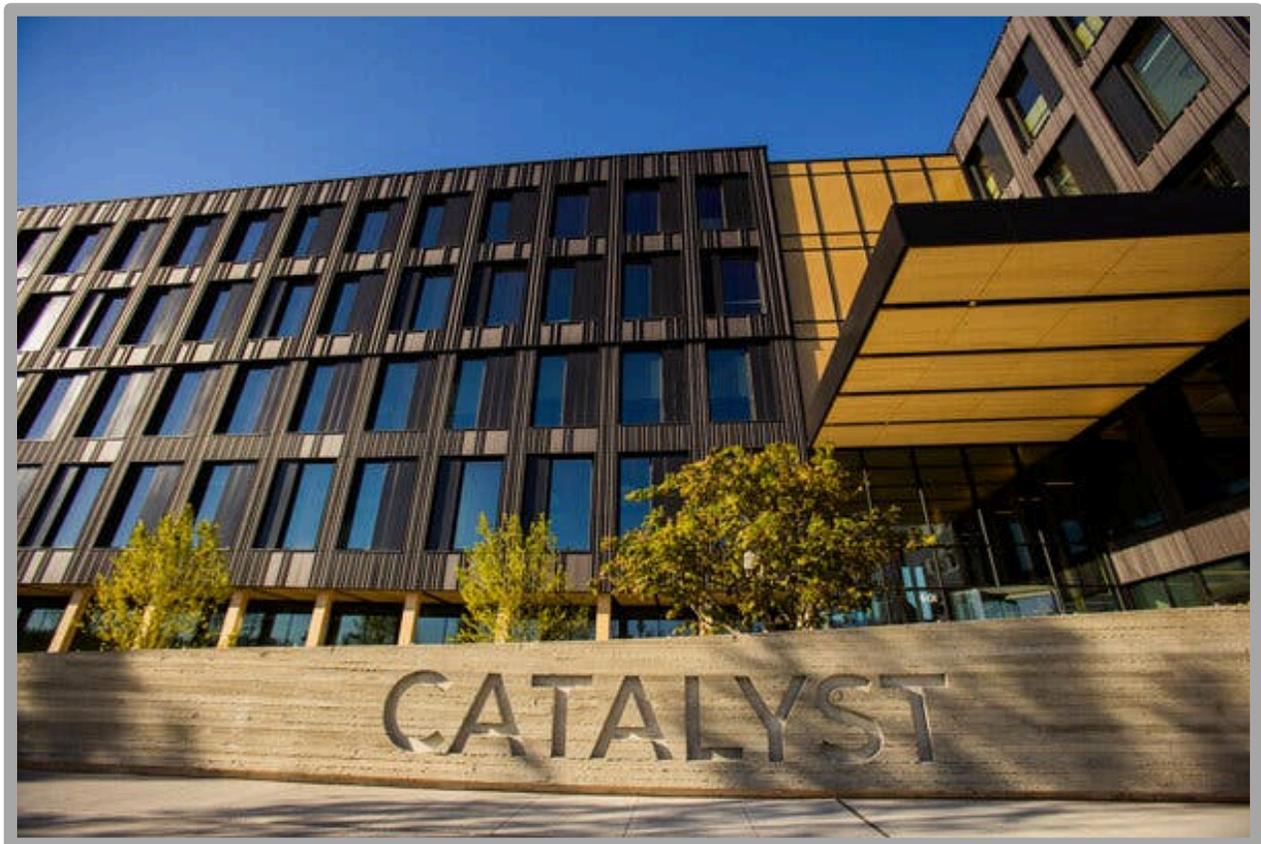
There were no hate crimes reported at Clark College in 2018, 2019 or 2020.

## Hate Crimes - North Puget Sound/Everett Community College

In 2018, three Vandalism/Destruction of Property crimes were reported on North Puget Sound/Everett Community College campus, based on race bias. No hate crimes were reported in 2019. Hate crimes reported for 2020 will be published in next year's report.

## Hate Crimes - EWU Spokane Campus

There were no reported hate crimes for the years 2018, 2019 or 2020 at EWU's Spokane Campus.



# Crime Prevention

## Crime Prevention Programs on the EWU Cheney Campus

The EWU Police Department offers activities and programs to inform students and employees about crime prevention and safety, to provide methods for protecting themselves, and to train them on how to respond in emergency situations. A common theme of all awareness and crime prevention programs is to encourage students and employees to be responsible for their own safety and for the safety of others on campus.

Crime prevention programs are sponsored by various campus organizations throughout the year. Incoming students attend presentations and participate in programs describing security, public safety and fire safety during orientations. New employee orientation includes the distribution of crime prevention materials to all new employees.

*Critical Incident Response* training is offered by the police department on an as-needed basis, but typically occurs at least quarterly and informs employees

### **SAFETY TIPS & EAGLE WALK PROGRAM**

- Sign up for EWU Alerts at <https://ewu.omnilert.net/subscriber.php>
- Be aware of your surroundings and trust your instincts. Avoid using headphones when you are walking alone.
- Walk on well-lit routes and avoid walking alone after dark or taking short cuts.
- Pepper spray is allowed on campus.
- Inform your roommate or someone you trust if you are going out and when you plan to return.
- Call EagleWalk at 359-7676 if you need an escort on campus.
- Lock your door day and night. Do not lend keys, access cards or passwords to anyone. Do not prop open locked doors.
- Do not leave your backpack or personal belongings unattended.
- Use caution when posting personal information on social media sites.
- Do not accept drinks from strangers. Alcohol is the #1 Date Rape Drug!
- Report any suspicious or unusual activity to EWUPD immediately.

about violence prevention, control, reporting and response on campus. Due to COVID-19, this training wasn't offered in 2020 since most of the campus was closed. A New Faculty and Staff Policy Workshop is held in spring and fall, for all new employees hired in the preceding six months, and covers campus safety, security and crime prevention. These workshops have been transitioned to online training, again due to COVID-19. Office safety walk-throughs are provided upon request.

In addition to training and awareness sessions, crime prevention information is also provided to students and employees through crime prevention materials, security alert posters, displays, videos and other media. The EWU Police produce several of these items, including a student campus security brochure, emergency response flipcharts, and an emergency management plan. Items may be obtained at the EWU Police Department, Human Resources, or Admissions. You may also request copies by calling 509.359.6498 or writing EWU Police Records, 609 W 7<sup>th</sup> St, Cheney, WA 99004. Additional information about crime prevention programs and training offered by the police department can be found at: <https://inside.ewu.edu/police/police-services/crime-prevention-programs/> and <https://inside.ewu.edu/police/police-services/training-and-classes/>.

## **Alcohol and Drug Education Programs**

EWUPD typically offers alcohol and drug awareness presentations to students at least twice per year, and upon request. Counseling and Wellness Services (CWS) at Eastern Washington University typically offers a variety of alcohol and drug abuse prevention and awareness programs to students. Presentations and outreach are normally provided by both professional staff and peer health educators. Alcohol and drug misuse prevention opportunities include presentations for campus groups, on-line education modules, and information through outreach services.

Due to COVID-19, alcohol and drug education programs were limited in 2020. Alcohol education classes were presented to first year student athletes, and to sorority and fraternity life. Alcohol and marijuana conduct classes were continued, although with the reduced number of students on campus, attendance was very low. More information is available at <https://inside.ewu.edu/bewell/>.

Prior to COVID-19, alcohol education programs offered by CWS included:

- Targeted alcohol education presentations to new students during Fall quarter through First Year Experience classes, Sorority and Fraternity Life, and classes for all first-year student-athletes.
- Alcohol Conduct Class, for those students that violate the code of conduct as it relates to alcohol, covers information on: Standard serving size, blood alcohol content, low risk drinking strategies, and alcohol poisoning.
- Alcohol Awareness Week during fall quarter, that offers a variety of education and awareness building opportunities. This coincides with National Collegiate Alcohol Awareness Week, and provides information on serving sizes, high risk drinking, being a designated driver, educational partnership with local bars, and social media outreach.
- Marijuana Conduct Class, for those students that violate the code of conduct as it relates to marijuana, is done in small groups through a motivational interviewing framework.

Additional information about the programs offered is available in the University's biennial alcohol and drug report.



## Eagle Walks

The EWU Police Department provides Eagle Walks (safety escorts) for students, faculty and staff walking on or near the Cheney campus. The program's intent is to get students, faculty and staff safely to their destinations on campus or within a close proximity of the campus during the hours of darkness. This service is limited to the availability of police officers. Before calling for an escort, please seek assistance from a friend, roommate or colleague. If returning home or to your residence hall after dark, it is best to preplan your departure. Avoid secluded areas, call home or your destination to let someone know you are leaving and the route you are taking, and always try to walk in groups or pairs. However, people who are not able to get assistance elsewhere should not hesitate to call for a police escort.

To receive this service, call the Eastern Washington University Police at 509.359.7676. If there is an available escort, the caller will be told who the escort will be and receive instructions as to where and when to meet him or her.

## Operation ID and Bicycle Registration

EWU Police Department offers Operation ID services, in which serial numbers or driver's license numbers can be engraved on items of value. Bicycle registration is recommended for faculty, staff and students who ride on the EWU Campus, because bicycles can be a target of theft. Registration is an aid for recovery of a bicycle that is stolen, and it is free and easy. Bicycles can be registered online at <https://inside.ewu.edu/police/police-services/bicycle-registration/>. In addition, keep your bike locked to a bike rack at all times and check it often.



## Self-Defense Classes

The EWU Police Department provides free self-defense classes to students, faculty, staff and the

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community to train both men and women in basic self-defense techniques and offer viable options when confronted with various threats of violence and aggression.

Classes help with the following:

- Identifying an imminent attack
- Close quarters defensive tactics
- Defeating attacks from behind
- Creating opportunities for acquiring assistance during an attack
- A multitude of other self-protection skill sets

These classes will help create a new set of awareness, assertiveness verbal confrontation skills, and safety strategies, and provide techniques that enable you to prevent, escape, resist, and survive attacks.



EWU Police Department typically offers self-defense training three to four times per year, and classes are posted at <https://inside.ewu.edu/police/police-services/training-and-classes/>. This training has been on hold during COVID-19, but will resume in Fall 2021. Self-defense courses can also be requested for a group by calling (509) 359-7914.

## Vehicle Safety Checks

Two weeks before winter break, EWU Police Department conducts vehicle safety checks. This service includes a check of windshield wipers, tire tread, tire pressure, fluid levels and lights so that any issues can be addressed before students drive home for the winter break. There are also raffles and giveaways of products to promote the safety of students while traveling. Due to the limited number of students and employees on campus, no vehicle safety checks was held in 2020. The police department will resume this service in 2021.



# Missing Student Notification

If a member of the university community believes that a residential student may be a missing person, they should immediately notify a University official from the list below:

- EWU Police Department  
101 Red Barn  
609 W 7<sup>th</sup> St  
Cheney, WA 99004  
509-359-7676
- Dean of Students  
301 Pence Union Building  
926 Elm St  
Cheney, WA 99004  
509-359-7924
- Director of Housing & Residential Life  
104 snymancut Hall  
1027 Cedar St  
509-359-4466

A student may be a “missing person” if the person’s absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student’s welfare (EWU Policy 603-07).

Upon receipt of a report that a student may be missing, the EWU Police Department will investigate. Within 24 hours of determining that a student is missing, the EWU Police Department will notify the registered contact(s) for the student and local law enforcement. EWU Police will also initiate the notification procedures when a student has been missing for less than 24 hours, if circumstances clearly indicate that the student is a missing person (e.g., witnessed abduction). If the student is under 18 years old and not emancipated, the EWU Police Department will notify the student’s custodial parent or legal guardian as soon as practicable and not later than 24 hours after the student is determined to be missing.

In cases involving missing persons, law enforcement personnel are best situated to provide information to the media that is designed to elicit public assistance in the search for a missing person. Therefore, all communications regarding missing students will be handled by the EWU Police Department, who may consult with the university's Marketing and Communications Department. All inquiries to the university regarding missing students, or information provided to any individual at the university about a missing student, shall be referred to the EWU Police Department.

In addition to listing an emergency contact, students are given the opportunity prior to occupying university housing to designate an individual, or individuals, to be contacted by the University if the student is determined to be missing for more than 24 hours. This designation will remain in effect until changed or revoked by the student. If a student has identified such an individual, EWU will notify that individual as soon as practicable and not later than 24 hours after the student is determined to be missing. The student's confidential contact information will be accessible only by authorized campus officials and law enforcement, and will only be disclosed to law enforcement personnel in furtherance of a missing person investigation.

# Response to Sexual Violence

The University takes its commitment to providing students and employees with a safe environment seriously. Threats and acts of violence on our campus and other property, and in university programs and activities, are prohibited. EWU will not tolerate any form of sexual misconduct, sexual harassment, sexual assault, domestic violence, dating violence, stalking or retaliation, and will take appropriate action against a university employee, student, visitor, volunteer or contractor found in violation (Policy 402-01 – Sexual Misconduct, Interpersonal Violence & Title IX Responsibilities). These crimes are addressed in the Student Conduct Code, EWU Policy 603-01 (Campus Safety, Security and Crime Prevention), EWU Policy 402-01 (Sexual Misconduct and Title IX Responsibilities), and EWU Policy 402-05 (Title IX Investigations & Hearings).

## DEFINITIONS

**Violence** is the use of physical force with intent, effect, or reasonable likelihood of causing pain, harm, injury or damage to any person or property. The crimes of domestic violence, dating violence, and sexual assault are among those included in the term “violence.” **Threats** are words or actions intended, causing, or reasonably likely to cause pain, harm, injury or damage to any person or property. Stalking is one of the crimes included in the term “threats.”

**Dating Violence:** An act of 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 based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

*[Dating violence is defined under Washington State law as a type of domestic violence. The definition of family or household members under Washington law includes those who have been or are in a dating relationship. A dating relationship is “is 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.” RCW 10.99.020(3), (4); 26.50.010(3), (6).]*

**Domestic Violence:** A felony or misdemeanor crime of violence committed by a current spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person that is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; adult persons related by blood or marriage; adult persons who are presently residing together or who have resided together in the past; and persons who have a biological or legal parent-child relationship; or 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 or 34 U.S.C. 12291(a)(8).

*[Under state law, the crime of domestic violence is defined in RCW 10.99.020(5) as including but not limited to any of the following crimes when committed by one family or household member against another family or household member, or one intimate partner against another intimate partner: (a) Assault in the first degree; (b) Assault in the second degree; (c) Assault in the third degree; (d) Assault in the fourth degree; (e) Drive-by shooting; (f) Reckless endangerment; (g) Coercion; (h) Burglary in the first degree; (i) Burglary in the second degree; (j) Criminal trespass in the first degree; (k) Criminal trespass in the second degree; (l) Malicious mischief in the first degree; (m) Malicious mischief in the second degree; (n) Malicious mischief in the third degree; (o) Kidnapping in the first degree; (p) Kidnapping in the second degree; (q) Unlawful imprisonment; (r) Violation of the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location; (s) Rape in the first degree; (t) Rape in the second degree; (u) Residential burglary; (v) Stalking; and (w) Interference with the reporting of domestic violence.]*

**Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program:

- **Rape:** The 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 consent of the victim.

*[The Washington State definition of rape (RCW 9A.44) is sexual intercourse (any penetration, however slight) of the vagina or anus or sexual contact between person involving the sex organs of one person and the mouth or anus of another, whether such persons are of the same or opposite sex where the victim did not consent to sexual intercourse or where there is threat of substantial unlawful harm to property rights of the victim.]*

- **Fondling:** The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because his/her age or because of his/her temporary or permanent mental incapacity.

*[In Washington State, 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 as described in RCW 9A.44.100.]*

- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

*[In Washington State a person is guilty of incest if he or she engages in sexual intercourse or sexual contact with a person whom he or she knows to be related to him or her, either legitimately or illegitimately, as an ancestor, descendant, brother or sister of either the whole or the half blood.]*

- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

*[In Washington State a person is guilty of Rape of Child in the third degree when the person has sexual intercourse with another who is under the statutory age of consent as defined in RCW 9A.44.073, and 9A.44.076, 9A.44.079.]*

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

*[Per RCW 9A.46.110, a person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime he or she intentionally and repeatedly harasses or repeatedly follows another person; and 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 the stalker either intends to frighten, intimidate, or harass the person; or 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.]*

## **Definition of Consent**

Per EWU policy, consent means actual words or conduct indicating freely given agreement to sexual activity. Consent cannot be inferred from silence, passivity or lack of active resistance. There is no consent where there is a threat of force of violence or any other form of coercion or intimidation, physical or psychological. Sexual activity is nonconsensual when one person is incapable of consent by reason of mental capacity, drug or alcohol use, illness, unconsciousness, age, or physical condition. A person who is incapacitated due to drugs or alcohol is unable to consent. Incapacitation due to drugs or alcohol refers to an individual who is in a state of intoxication such that the individual is incapable of making rational, reasonable decisions because the person lacks the capacity to give knowing consent.

Washington state law defines consent as “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.” RCW 9A.44.010(7).

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## **EWU POLICE SEXUAL ASSAULT RESPONSE COMMITMENT**

Sexual assault, domestic violence, dating violence and stalking are very serious concerns of the EWU Police Department. If you feel you are a victim of a sexual assault on campus, the EWU Police Department will provide the following:

- We will meet with you privately, at a time and local place of your choice, to take your report.
- We cannot and will not notify your parents without your consent.
- We will treat you and your case with courtesy, sensitivity, dignity, understanding and professionalism.
- Our officers will not prejudge you, and you will not be blamed for what occurred.
- We will assist you in arranging for any necessary hospital treatment or other medical needs. We will also assist in emergency housing if needed.
- If you would feel more comfortable talking with a friend or advocate of your choice present, we will do our best to accommodate your request.
- If you choose to file a police report, we will fully investigate your case and will help you to achieve the best outcome. This may involve the arrest and full prosecution of the suspect responsible. You will be kept up-to-date on the progress of the investigation and/or prosecution.
- We will assist you in privately contacting counseling and other available resources.
- We will continue to be available to answer your questions, to explain the system and process involved (prosecutor, courts, etc.), and to be a listening ear if you wish.

We will take your case seriously, regardless of your gender or the gender or status of the suspect.

Eastern Washington University will not tolerate any form of sexual misconduct, sexual harassment, sexual assault, domestic or dating violence, stalking or retaliation, and will take appropriate action against a university employee, student visitor, volunteer, or contractor who violates any part of this policy (EWU Policy 402-01 – Sexual Misconduct, Interpersonal Violence & Title IX Responsibilities). Enforcement of this policy is subject to constitutional protections related to freedom of speech, association and the press.

As a public institution of higher education, the university has a special responsibility to create and maintain an academic environment that promotes freedom of inquiry and expression while protecting the rights, opportunities and welfare of employees, students, program participants, visitors, volunteers and contractors. To facilitate this goal, the university retains authority to discipline or take other appropriate action for any conduct that is deemed unacceptable or inappropriate, regardless of whether the conduct rises to the level of unlawful sexual misconduct or interpersonal violence.

All persons, including students, employees, program participants, visitors, volunteers and contractors are required to comply with this policy while on campus or participating in university programs or activities. EWU students and employees are also required to comply with this policy while conducting university business, participating in university activities or using university resources. Students and employees are also responsible for violations of this policy off-campus or outside of a university program or activity when the conduct in question has an impact on the person's duties or responsibilities as a university student or employee.

## **Reporting**

If you have experienced sexual harassment, sexual assault, fondling, domestic violence, dating violence, stalking, retaliation, discrimination on the basis of sex/sexual orientation/gender identity or expression, or other forms of sexual misconduct we encourage you to report the incident. You can file a complaint with the university or with local law enforcement, or both,

using one of the following options:

### University Reporting Process

A report can be filed with EWU's Title IX team at <https://inside.ewu.edu/titleix/reporting/> or by contacting the Title IX Coordinator via email to [ascharosch@ewu.edu](mailto:ascharosch@ewu.edu) or calling 509-359-6724.

### Law Enforcement

A report may also be made to local law enforcement. Any act of violence in progress or imminent threat should be reported by calling 911. If it is not an emergency and the incident occurred on campus or you need assistance in identifying the appropriate law enforcement agency, you can contact EWU's Police Department at 509-359-7676 or by submitting a report at: <https://inside.ewu.edu/police/report-a-crime/>. Reports to Cheney Police Department may be made by calling (509) 535-9233. Complainants may pursue both a criminal complaint and an administrative complaint consecutively or concurrently. Victims of violence and/or threats may also decline to notify law enforcement authorities if they so choose.

### Anonymous or Confidential Reporting

If a complainant wishes to remain anonymous, EWU will take reasonable steps to gather information about the complaint but may not be able to investigate the complaint due to a lack of information or witnesses. The university shall inform the complainant that its ability to investigate and respond to the allegation will be limited and that any type of retaliation is prohibited. The university will inform the complainant of EWU's commitment to respond to complaints of retaliation. If a complainant wishes to remain anonymous, the Title IX Coordinator must determine whether and to what extent the university can investigate the complaint.

Anonymous reporting options include the following:

1. Anonymous report to the Title IX Coordinator: <https://inside.ewu.edu/titleix/>
2. University Police Anonymous Tip Line at 509-359-4286
3. University Police Reporting Form: <https://inside.ewu.edu/police/report-a-crime/>

Students may also seek advice and assistance on a confidential basis from Counseling and Wellness Services (CWS) – (509) 359-2366.

### **Mandatory Reporting**

All EWU employees, except licensed professional counselors with Counseling and Wellness Services (CWS) are mandated reporters. Therefore, any incidents of alleged sexual misconduct reported to an EWU employee (other than a licensed professional counselor with CWS) must be reported to the Title IX Coordinator within 24 hours. You can file an employee report by clicking the "Report Title IX Concern" button or by contacting the Title IX Coordinator directly at [ascharosch@ewu.edu](mailto:ascharosch@ewu.edu) or 509-359-6724.

Employees must report complaints regardless of the person reporting the incident's desire for the matter to remain confidential and regardless of whether a report is made with campus or local law enforcement. Mandatory reporting is not required when a person discloses sexual misconduct during a public awareness event, such as "Take Back the Night." Employees who are uncertain as to whether or not a disclosure is subject to mandatory reporting should contact the Title IX Coordinator. Employees that have been subjected to sexual misconduct are not required to self-report the alleged incident they were involved in, but are encouraged to do so.

### **External Reporting**

A complaint may also be filed with the federal Department of Education's Office of Civil Rights. Information about how to file a complaint with OCR is available at: <https://www2.ed.gov/about/offices/list/ocr/complaintprocess.html>. OCR can also be contacted at: Department of Education, Office for Civil Rights, 915 Second Avenue, Room 3310 Seattle, WA 98174, by phone at (206) 442-1636 or by email, [OCRSeattle@ed.gov](mailto:OCRSeattle@ed.gov).

### **Amnesty for Certain Student Conduct Charges**

The university encourages student to report incidents of sexual misconduct without fear of consequences for having possessed or consumed alcohol and/or drugs at the time of the incident. The university's primary concern is to address student safety, discrimination and sexual misconduct. The university does not condone drinking, use of illegal drugs, or other violations of law or university policy; however, the university generally will not pursue Student Conduct

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Code allegations against a complainant for alcohol or drug use and/or possession at the time of the reported sexual misconduct. This amnesty does not extend to other potential violations of the Student Conduct Code. This limited amnesty is applicable only to university Student Conduct Code proceedings and is at the university's discretion.

### **Complaint and Investigative Procedures**

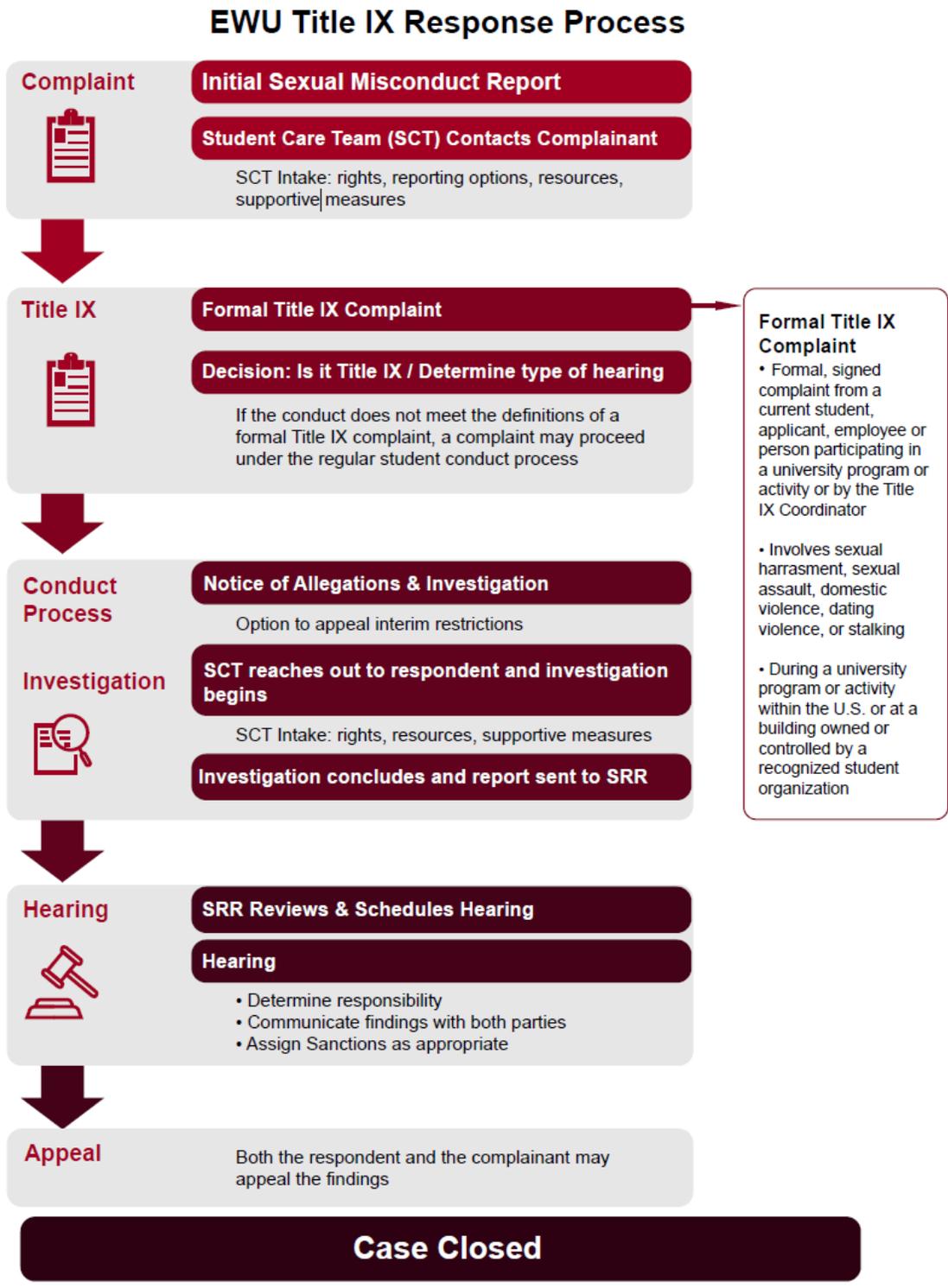
Upon receipt of a complaint under EWU Policy 402-01 (Sexual Misconduct, Interpersonal Violence & Title IX Responsibilities), the Title IX Coordinator or designee shall determine the appropriate process for handling the complaint.

A formal Title IX complaint is defined as:

- A. A formal signed complaint filed by a complainant who is a current student, employee, applicant, or person participating or seeking to participate in a university program or activity, or by the Title IX Coordinator;
- B. Alleging sexual harassment, sexual assault, domestic violence, dating violence, or stalking as defined for Title IX purposes in university policy; and,
- C. That occurred on EWU premises, during a university program or activity within the United States, or at a building owned or controlled by a student organization that is officially recognized by the university.

EWU Policy 402-05 – Title IX Investigations & Hearings outlines EWU's investigatory and hearing process for responding to formal Title IX complaints against an employee for sexual misconduct and interpersonal violence. Complaints against students for violations of this policy are handled in accordance with the procedures contained in the Student Conduct Code (WAC 172-121). If the student also serves as an employee, following a determination of responsibility under the Student Conduct Code, the matter will be referred to the student employee's supervisor to determine whether disciplinary action is appropriate from an employment perspective. Complaints against other members of the university community, including employees, program participants, visitors, volunteers and contractors that do not meet the definition of a formal Title IX complaint are handled under EWU Policy 402-01. Below is a

visual overview of the student conduct process, and the Title IX processes are outlined in the following pages.



## SEXUAL MISCONDUCT & INTERPERSONAL VIOLENCE COMPLAINTS AGAINST STUDENTS - OVERVIEW OF DISCIPLINARY PROCEEDINGS

(For FULL PROCESS, see [EWU Student Conduct Code, WAC 172-121](#))

### Complaints

Any person or the university may file a complaint against a student or student organization for violation of the student conduct code. The complaint must be submitted, in writing, to Student Rights and Responsibilities (SRR), the Title IX Coordinator, or the office of the Dean of Students. All student conduct code complaints will be forwarded to the Title IX team for further review and action.

Upon receiving a complaint, the director of SRR shall review the complaint to determine whether it includes allegations of sexual misconduct or interpersonal violence that fit within the definition of a formal Title IX complaint, may lead to suspension or expulsion, and/or felony-level criminal conduct to determine which student conduct process applies and if appropriate law enforcement or other authorities should be notified. If a complaint falls within such categories, it shall be referred to a full hearing. The director of SRR shall report all complaints that may constitute any form of sexual misconduct or interpersonal violence to the university Title IX coordinator within twenty-four hours.

The Title IX coordinator will determine whether or not the allegation of sexual misconduct or interpersonal violence constitutes a Title IX complaint. In cases of Title IX complaints, the university will not move forward with initiating a Title IX investigation or student conduct hearing unless SRR has received a formal complaint from the person alleged to have been subjected to sexual misconduct or interpersonal violence, or a complaint from the Title IX coordinator requesting initiation of the student conduct process.

If the allegations do not meet the definition of a Title IX complaint, the Title IX coordinator will inform the complainant and the respondent that the complaint is not considered a Title IX complaint and the reasons it does not fit within the required elements of a formal Title IX complaint. If the complainant or respondent disagrees with the Title IX coordinator's decision, the party may file an appeal with the dean of students within three calendar days of the decision. The dean of students can affirm, reverse or remand the decision, and such decision must be communicated in writing to the parties. SRR may proceed, however, with pursuing a student conduct case against the respondent for misconduct outside of Title IX, including, but not limited to, sexual misconduct or interpersonal violence that does not fit the definition of a Title IX complaint.

All information will be maintained in a confidential manner to the fullest extent permissible by law. During an investigation, complaint information will be disseminated on a need-to-know basis. If the complainant wishes to remain anonymous, the university will take all reasonable steps to investigate the allegation without disclosing the name of the complainant to the extent allowed by state and federal law, and the university shall inform them that its ability to investigate and respond to the allegation will be limited. The university cannot ensure

confidentiality, as its legal obligations under federal or state law may require investigation of the allegation and possible disclosure of the complainant's name.

Once the university is notified of an allegation of sexual misconduct or interpersonal violence, it will notify the potential complainant of their right to file a criminal complaint with campus or local law enforcement. If the complainant wishes to report the conduct to local law enforcement, the university will assist them in doing so and will notify the complainant that he or she is not required to file a report with local law enforcement. The university will report allegations of sexual misconduct or interpersonal violence to law enforcement or other authorities when it is required to do so under federal, state, and local law.

During the complaint review, the director of SRR or Title IX coordinator will review whether any supportive measures or interim restrictions are needed.

The university shall investigate any complaint alleging sexual misconduct or interpersonal violence when it is legally required to do so. The university's goal is to have complaints of sexual misconduct or interpersonal violence resolved within 90 days. If the university needs additional time, the investigator or director of SRR should provide written notice to the complainant and respondent of the delay and the reasons for the delay. Delays and extensions beyond the 90 days must be based on good cause.

The university will investigate all sexual misconduct and interpersonal violence complaints, including Title IX complaints, and may, at its discretion, ask for an investigation of other alleged misconduct. During the investigation, the investigator is responsible for gathering evidence relating to the complaint. The investigator will contact the complainant, respondent, and other witnesses to ask questions and gather relevant evidence. Parties may be assisted by an advisor during the investigative process, and will be provided with an equal opportunity to identify witnesses and other evidence that supports their position. Prior to any investigatory interview regarding a Title IX complaint, the investigator will provide written notice of the meeting with the date, time, location, participants, and purpose with sufficient time for the person to prepare to participate in the interview.

Prior to completion of the investigative report for a Title IX complaint, the investigator will send to each party the evidence obtained during the investigation that is directly related to the allegations raised. Each party will then have at least 10 calendar days to submit a written response for a Title IX complaint. The investigator will consider the written response prior to completion of the investigative report. At the conclusion of the investigation, the investigator will prepare a final written report that fairly summarizes the relevant evidence. The investigative report, along with any evidence collected during the investigation, shall then be transmitted to the director of SRR at least 10 days prior to any hearing or other determination of responsibility. In cases of sexual misconduct or interpersonal violence, a copy of the report must also be provided to the parties for their review and written response.

The director of SRR will contact the respondent, and the complainant in cases of sexual misconduct or interpersonal violence, prior to hearing, and provide them with the following information:

1. The respondent's and complainant's rights under the student conduct code;
2. A summary of the allegations the complainant has against the respondent;
3. The potential conduct code violations related to the allegations; and
4. How to report any subsequent problems or retaliation, including intimidation, threats, coercion, or discrimination.

In all cases alleging sexual misconduct or interpersonal violence, both parties will be provided with written information that will include, at a minimum:

1. The student's rights and options, including options to avoid contact with the other party; a list of available university and community resources for counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other academic and housing services at the university and in the community; and options for, available assistance in, and how to request changes to, academic, living, transportation, and working situations or protective measures;
2. The importance of preserving evidence of the alleged incident and procedures to follow to preserve evidence of the alleged incident;
3. Who will receive a report of the allegation;
4. Their right to file or not file a criminal complaint and the ability to be assisted by campus authorities in notifying law enforcement authorities if the complainant wishes to do so;
5. A list of resources for obtaining protective, no contact, restraining, or similar orders, if applicable;
6. The procedures the university will follow when determining if discipline is appropriate;
7. Steps the university will take to ensure confidentiality of complainants and other necessary parties and the limits this may place on the university's ability to investigate and respond, as set forth above; and
8. Information regarding the university's policy against retaliation, steps the university will take to prevent and respond to any retaliation, and how the student should report retaliation or new incidents.

Following the review of the investigative report, the director of SRR will either dismiss the matter or arrange a prehearing conference. If the director of SRR determines the allegations, even if true, would not rise to the level of a conduct violation, he/she may dismiss the matter. In such cases, the director of SRR will prepare a written record of the dismissal. The director of SRR will also notify the complainant of their decision, if such notification is permissible under FERPA. If the director of SRR does not dismiss the matter, he/she will arrange a prehearing conference. Parties may appeal a dismissal decision with the Dean of Students.

### Conduct review proceedings

Conduct review proceedings in which the allegations involve a Title IX complaint, felony level crimes, or the potential sanction is suspension or expulsion, are considered full hearings under the Administrative Procedure Act. Formal rules of process, procedure, and/or technical rules, such as are applied in criminal or civil courts, do not apply in student conduct code proceedings. All Title IX complaints shall follow the regulations prescribed under 34 C.F.R. part 106.

When a charge is directed towards a student organization, the Conduct Review Officer (CRO) will communicate all matters relative to conduct review proceedings with the president of the organization or their designee. The complainant and the respondent may be assisted by one advisor of their choice, subject to the following provisions:

1. Any fees or expenses associated with the services of an advisor are the responsibility of the complainant or the respondent that employed the advisor;
2. The advisor may be an attorney or any other person of the student's choosing;
3. The advisor must provide the CRO with a FERPA release signed by the student they are assisting;
4. If a complainant or the respondent is represented by an attorney, the attorney shall provide the CRO and other parties with the attorney's name, address, telephone number, and email address. The attorney must file a notice of appearance when hired to represent a person and a notice of withdrawal upon withdrawal of representation. A notice of appearance must be filed at least two business days prior to any conduct review proceeding;
5. If a complainant or respondent wishes to have an advisor for a Title IX complaint and is not able to identify one, the student may contact SRR for assistance in finding an advisor; and
6. In addition to an advisor, a complainant or respondent may bring a certified therapy animal with a handler for the hearing. The handler is not allowed to participate in the hearing process.

In full hearings, the respondent and, in cases of sexual misconduct or interpersonal violence, the complainant may request to view material related to the case prior to the scheduled hearing by contacting the director of SRR. The party should contact the director of SRR as early as possible prior to the scheduled hearing. The director of SRR shall make a reasonable effort to support the request to the extent allowable by state and federal law.

Continuances, extensions of time, and adjournments may be ordered by the CRO. A party may file a timely request for a continuance if the party shows good cause for the continuance. A request for a continuance may be oral or written. Before granting a motion for a continuance, the CRO shall allow any other party to object to the request. The CRO will make a decision on the request and will communicate his/her decision in writing to the parties along with the reasons for granting or denying the request.

Sexual misconduct and interpersonal violence cases that do not fall within the definition of a Title IX complaint may be adjudicated using a brief or full hearing. For both brief and full hearings for sexual misconduct and interpersonal violence cases, both parties have the right to advisor of their choice throughout the proceeding. Both complainants and respondents also have an equal opportunity to participate in the investigative and hearing process.

#### **Notice of allegations and initial scheduling**

If the director of SRR refers a complaint to an investigation, the director shall appoint a CRO to the case and notify the respondent of the CRO and the date of a prehearing conference. In cases

alleging sexual misconduct or interpersonal violence, the CRO and session council assigned must have completed training on issues relating to sexual misconduct and interpersonal violence, the Violence Against Women Reauthorization Act, and Title IX requirements. Notification of the allegations to the respondent must:

1. Be made in writing;
2. Include a written list of the allegations against the respondent with sufficient details of the allegations based on current information, including, if known, date and time of the incident, description of the conduct, and the specific sections of this code allegedly violated;
3. Provide notice that the respondent is presumed not responsible for the alleged conduct and a determination of responsibility will be made at the end of the hearing;
4. Provide a reminder that the person may have an advisor of their choice and, for Title IX complaints, that the university will provide them with an advisor upon request for the purposes of conducting cross-examination;
5. Provide information about how to review the evidence gathered prior to the hearing;
6. Provide a statement that students are prohibited from knowingly furnishing false information during the student conduct process; and,
7. Include a date, time and location of the prehearing conference.

In all cases alleging sexual misconduct or interpersonal violence, the SRR office shall notify the complainant of the date, time, and location of the prehearing conference and of their right to attend the conference. The SRR office shall also follow up with the complainant and respondent to inform them of the process of reporting any retaliation or new incidents. If the complainant or respondent engages in retaliatory behavior, the university shall take immediate steps to protect the complainant or respondent from further harassment or retaliation. The complainant will also be notified that they have a right to an advisor during the hearing process and, for Title IX complaints, that the university will provide an advisor upon request for the purposes of conduct cross-examination. If additional information is learned during the investigation that may rise to additional allegations, the university must provide the respondent with an updated notice of allegations.

### **Full hearing procedures**

The CRO exercises control over hearing proceedings. All procedural questions are subject to the final decision of the CRO. The CRO chairs the disciplinary council. All conduct review hearings will be closed. Admission of any person to a conduct review hearing shall be at the discretion of the CRO.

In cases where proper notice has been given but the respondent fails to attend a conduct review hearing, the council shall decide the case based on the information available, without the respondent's input. The council may not make an inference about the determination regarding responsibility based solely on a party's or witness's failure to appear at the hearing. However, non-appearance by a party may impact the evidence available for the council to make a decision.

The parties will be provided options for reasonable alternative arrangements if they do not wish to be present in the same room as the other student during the hearing. The parties may appear at the conduct review hearing in person via a method that allows the council to hear the parties and physically observe them while testifying. If a party does not appear at the hearing, the council will decide the case based on the information available. For Title IX complaints, if a party or witness does not appear at the hearing and submit to cross-examination, the council must not rely on any statement of that party or witness in reaching a determination regarding responsibility; additionally, the council cannot draw an inference regarding responsibility based on the failure to appear or refusal to answer cross-examination or other questions.

The complainant and the respondent may be assisted by one advisor during conduct review hearings. For Title IX complaints, the university will provide an advisor to a party upon request for the purposes of conducting cross-examination. Any person, including the respondent or advisor, who disrupts a hearing, may be excluded from the proceedings. In the interest of fairness, the CRO may permit any person to appear by a method that allows the person to be seen and heard by the council.

The council shall determine whether the respondent violated the student conduct code, as charged, based on a preponderance of the evidence. A preponderance means, based on the evidence admitted, whether it is more probable than not that the respondent violated the student conduct code.

The SRR office or designee will arrange for a prehearing conference with the parties to advise them about the student conduct process. During the prehearing conference, the SRR office or designee will:

1. Review the written list of allegations;
2. Inform the respondent who is bringing the complaint against them;
3. Provide the respondent and complainant with a copy of the student conduct code and any other relevant university policies;
4. Explain the respondent's and complainant's rights and responsibilities under the student code;
5. Explain the conduct review procedures;
6. Explain possible penalties under the student conduct code.
7. Schedule a date for the full hearing; and
8. Address any preliminary matters or motions.

Following the prehearing conference, the director shall schedule the hearing and notify the respondent and complainant of the date, time, location, participants, and purpose of the hearing. The notices will include information about how to request accommodations or interpreters for any parties or witnesses. Any request for the presence of an emotional support animal or any other accommodation must be directed to Disability Support Services and approved as a reasonable accommodation in advance of the hearing. A person may bring a certified therapy animal with a handler to a hearing. The notice of hearing must be served on the respondent and complainant at least 7 business days prior to the hearing. The director may coordinate with the parties to facilitate scheduling, but is not required to do so.

The council may accept pertinent records, exhibits and written statements as information for consideration. Any investigation conducted by the university will be admitted into evidence as long as the investigator testifies at the hearing. Evidence, including hearsay evidence, is admissible based on the judgment of the CRO; for Title IX complaints, statements obtained from a person who does not testify at the hearing shall not be considered by the council. The CRO shall exclude evidence that is excludable on constitutional or statutory grounds or on the basis of evidentiary privilege recognized by Washington courts, and may exclude irrelevant material. For Title IX complaints, prior to allowing a question to be answered during cross-examination, the CRO must determine that the question is relevant, and, if excluded, the CRO must explain on the record the reason for the exclusion.

The respondent and complainant have the right to view all material presented during the course of the hearing, except a respondent's previous disciplinary history, which shall be used solely for the purpose of determining the appropriate sanction. All testimony of parties and witnesses shall be made under oath or affirmation.

Documentary evidence may be received in the form of copies or excerpts, or by incorporation by reference. Official notice may be taken of any easily verifiable facts such as dates or weather conditions, technical or scientific facts within EWU's specialized knowledge, and codes or standards that have been adopted by an agency of the United States, of any state, or by a nationally recognized organization or association. Parties will be notified either before or during hearing of the material and the sources, and will be given an opportunity to contest the facts and material.

Discovery is not permitted under the code, except for requests for documentary information from the university. Either party may request the university to produce relevant documents in the university's possession as long as such request is submitted at least five business days prior to the hearing, absent extenuating circumstances. If the CRO determines the request is not relevant to the present allegation, the CRO may deny the request. The university will provide the requested information prior to the hearing to the extent permitted by state and federal law.

Subpoenas may be issued by the presiding officer or an attorney. Any subpoena issued must conform to EWU's subpoena form. A subpoena may be served by any suitable person over eighteen years of age, by exhibiting and reading it to the witness, or by giving him or her a copy thereof, or by leaving such copy at the place of his or her abode. When service is made by a person than an officer authorized to serve process, proof of service shall be made by affidavit or declaration under penalty of perjury. Subpoenas may not be used to threaten or intimidate parties or witnesses. For the protection of both parties, a party cannot subpoena the other party. A party may request an exemption from this rule by filing a written request with the presiding officer at least 10 days prior to the hearing. The presiding officer will provide a copy of the request to the other party and give them 3 days to respond. The presiding officer will then decide whether or not sufficient cause exists to grant an exemption from this rule and will inform the parties of the decision.

The complainant, respondent, and the university's presenter may call witnesses at full hearings. The person wishing to call a witness is responsible for ensuring that the witness is available and

present at the time of the hearing. An attorney may subpoena a witness to appear at the hearing, and non-attorneys may request the CRO to subpoena witnesses. The CRO may exclude witnesses from the hearing room when they are not testifying. The CRO is not required to take the testimony of all witnesses called by the parties if such testimony may be irrelevant. For Title IX complaints, any decision to exclude a witness shall be explained on the record. All parties have the right to hear all testimony provided by witnesses during the hearing. The parties should inform the CRO of any possible need for an interpreter or any accommodation requests at least five business days prior to the hearing.

The complainant's advisor, respondent's advisor, and the university's presenter may ask questions of any witness or party, including cross-examination questions. For Title IX complaints, if a party does not have an advisor, the university will provide the party with an advisor aligned with that party to conduct cross-examination if the party requests such an advisor at least 5 business days in advance of the hearing. The CRO may also ask questions. The CRO may preclude any questions that he/she considers irrelevant, which must be explained on the record.

The CRO must exclude and the council shall not consider any questions or evidence pertaining to the complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The CRO will explain to the parties the reason for rejecting any questions and will maintain a record of the questions submitted and rulings made. The council may ask their own questions of any witness or party called before them.

The CRO may accommodate concerns for personal safety, well-being, or fears of confrontation of any person appearing at the hearing by providing separate facilities, or by permitting participation by video conferencing or other means that allows the council and parties to see and hear the party answering questions, as determined appropriate.

Following the hearing, the council will determine whether, by a preponderance of the evidence, the respondent violated the student conduct code based on the evidence and available information presented at the hearing. If the council determines the respondent violated the student conduct code, the CRO shall then decide what sanctions and remedies shall be imposed. The CRO may review the respondent's previous disciplinary history solely for purposes of determining the appropriate sanction. In addition to sanctions under this code, if the student is also an employee of the university, the CRO's decision may be forwarded to the student's supervisor to determine whether any employment actions outside of this code should be taken in accordance with university policy.

The council shall issue a decision including their findings, conclusions, and rationale. The decision shall be based exclusively on the evidence provided at the hearing. If the council finds the respondent violated the code, the CRO shall add the decision regarding sanctions and remedies to the council's decision. Such decisions should be issued within 10 business days from the date of the hearing. The written decision shall also:

1. Be correctly captioned identifying EWU and the name of the proceeding;
2. Designate all parties and representatives participating in the proceeding;
3. Identify the allegations at issue;
4. Describe the procedural steps taken;
5. Contain appropriate numbered findings of fact;
6. Contain appropriately numbered conclusions regarding the application of university policies and student conduct code to the facts;
7. Include a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed, and if any remedies are necessary to provide to the complainant in a Title IX complaint to restore or preserve equal access to the university's educational programs or activities; and
8. Contain a statement describing rights to appeal and the procedures for appealing.

The council's and CRO's decision becomes final at either the conclusion of the appeal process, if an appeal is filed, or, if an appeal is not filed, the date on which an appeal would no longer be timely. In cases of sexual misconduct or interpersonal violence, the CRO shall serve the respondent with a copy of the decision and notice of the right to appeal, and simultaneously provide written notice to the complainant that includes:

1. The university's determination as to whether sexual misconduct or interpersonal violence occurred;
2. The complainant's right to appeal;
3. Any change to the results that occurs prior to the results becoming final;
4. Information regarding the discipline of the respondent will not be released unless the information contained in the record directly relates to the complainant, such as an order requiring the student harasser to not contact the complainant; or the misconduct involves a crime of violence or a sexual assault, including rape, dating violence, domestic violence or stalking; and
5. Any remedies provided to the complainant.

The complainant shall receive a copy of the decision provided to the respondent, and the Title IX coordinator must be provided with notice of the decision to implement any remedies.

## Appeals

The respondent may file an appeal following a hearing. The complainant may also file an appeal following dismissal of a complaint or from a hearing involving sexual misconduct or interpersonal violence. Appeals may be filed for one or more of the following reasons:

1. To determine whether the hearing was conducted according to established procedures that affected the outcome of the matter.
2. The hearing authority misinterpreted the student conduct code.
3. To determine whether the decision reached by the hearing authority, or the director of SRR's decision to not proceed with a hearing, was based on the information presented and that information was sufficient to reasonably establish that a violation of the conduct code did or did not occur based on a preponderance of the evidence.

4. To determine whether the sanction(s) imposed were reasonable and appropriate for the associated conduct code violation(s).
5. To consider newly discovered, material information that was not available at the time the determination finding responsibility or dismissal was made that could affect the outcome of the matter. The university is not obligated to grant an appeal and conduct a new hearing when parties do not take reasonable efforts to prepare their cases for the original hearing.
6. The Title IX coordinator, investigator, or hearing authorities had a conflict of interest or bias for or against complainants or respondents generally, or the individual complainant or respondent, that affected the outcome of the matter.

Appeals may be filed following a hearing, or dismissal of a complaint, subject to the following provisions:

1. The appeal must be submitted to the director of SRR within 10 business days from service of the council's decision following a full hearing or dismissal of a complaint;
2. The appeal shall be in writing and shall include the appellant's name, the nature of the decision and sanctions reached by the hearing official, the basis for the appeal, and what remedy the appellant is seeking; and
3. In cases of sexual misconduct or interpersonal violence, the other party must be given a copy of the appeal and provided with an opportunity to provide his/her own written response to the appeal within 3 business days.

For dismissal of a complaint, appeals are determined by the dean of students. For full hearings, appeals are determined by the vice president for student affairs. The director of SRR shall forward the appeal to the appropriate appeal authority. The submitted appeal will include, at a minimum, the appellant's written appeal and the written report of the case. The director of SRR may also forward any other written records related to the case.

Before rendering a decision, the appeal authority may request additional information or explanation from any of the parties to the proceedings. Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the conduct review hearing and supporting documents. In making its decision, the appeal authority will only consider the written record before it, the appellant's notice of appeal, the other party's response, and other information and/or explanation it has requested from the parties to the proceedings.

After reviewing the appeal, the appeal authority may affirm, reverse, or remand the decision(s) of the hearing authority. The appeal decision shall include an explanation of the appeal authority's decision and rationale. The appeal decision must be issued within 30 calendar days of the appeal authority receiving all necessary documentation. In cases where the appeal authority remands the decision or sanction(s) of the hearing authority, the case will be returned to the hearing authority for reconsideration or other action as specified by the appeal authority. Following such reconsideration, the hearing authority will return the case to the appeal authority for further review/action. The appeal authority will then complete the appeal process or remand the case again. No appeal may be remanded more than two times. After a case has

been remanded twice, the appeal authority must affirm or reverse the decision and affirm, reverse, or modify the sanctions.

The appeal authority may affirm, reverse, remand, or modify the sanctions assigned to the respondent. When determining sanctions, the appeal authority may consider the complete record of the respondent's prior conduct and academic performance in addition to all other information associated with the case.

Once the appeal authority has made a final decision to affirm or reverse and/or to modify the sanctions assigned, the appeal authority shall forward the decision to the director of SRR. The director of SRR shall serve the respondent, and notify the complainant, with a brief written statement setting forth the outcome of the appeal. The appeal authority's decision is final and no further appeals may be made under the student conduct code.

Appeal authorities must weigh all pertinent information presented to them in determining whether sufficient evidence exists to support reversal or modification of decisions or sanctions. For appeals based on a deviation from established procedures, such deviations will not be a basis for sustaining an appeal unless the alleged deviation materially changed the outcome of the case or the sanctions imposed.

### **Supportive measures and interim restriction**

During the complaint review, the director of SRR, Title IX coordinator, or designee will evaluate the circumstances and determine if any supportive measures to assist or protect the parties during the conduct code process are needed. Supportive measures are provided to students free of charge and may include, but are not limited to, safety planning with the university, mutual restrictions on contact between the parties, academic or workplace modifications, providing counseling for the complainant and/or respondent, or campus housing modifications. The purpose of a supportive measure is to provide an equitable process for both students that minimizes the possibility of a hostile environment on campus. Supportive measures are designed to restore or preserve equal access to the university's educational programs or activities without unreasonably burdening either party, including protecting the safety of all parties and the university's educational environment, or deterring sexual harassment. Supportive measures are coordinated by the Title IX Coordinator or designee. Supportive measures are generally provided by the Student Care Team.

In situations where there is cause to believe that a student or a student organization poses an immediate threat to the physical health or safety of any student or other individual, including themselves, the Title IX coordinator in conjunction with the director of SRR may take immediate action(s) against the student or student organization after conducting an individualized safety and risk analysis without prior notice or hearing. Simultaneous with such action(s), the director of SRR will refer the allegations to the CRO, who will process such allegations in accordance with the provisions of this student conduct code.

For all non-Title IX cases, the director may take immediate action(s) against the student or student organization after conducting an individualized safety and risk analysis without prior

notice or hearing. Simultaneously, the director shall refer the allegations to the conduct review officer. Interim restrictions are subject to the following:

1. Interim restriction actions may only be imposed in the following situations:
  - a. When a student or student organization poses an immediate threat to the physical health or safety of any student or any other individual, the student's own physical safety and well-being, or any property of the university community; or
  - b. When it is believed that the student's or student organization's continued attendance or presence may cause disorder, substantially interfere with or impede the lawful activities of others, or imperil the physical or mental health and safety of members of the university community.
2. During the interim restriction period, a student may be restricted by any or all of the following means:
  - a. Denial of access including, but not limited to: Assignment to alternate university housing or removal from university housing, limitation of access to university facilities, or restriction of communication with specific individuals or groups;
  - b. Interim suspension, including temporary total removal from the university or restriction of access to campus. For Title IX complaints, a student may only be placed on interim suspension if, after conducting an individualized safety and risk analysis, the director determines the person poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual misconduct or interpersonal violence;
  - c. Mandatory medical/psychological assessment of the student's capability to remain in the university.

The director of SRR will determine what restriction(s) will be placed on a student, and will prepare a brief memorandum for record containing the reasons for the interim restriction. The director will serve the memorandum on the restricted student and notify all other persons or offices bound by it. At a minimum, the memorandum will state:

1. The alleged act(s) or behavior(s) of the student or student organization which prompted the interim restriction;
2. How those alleged act(s) or behavior(s) could constitute a violation of the student conduct code;
3. How the circumstances of the case necessitated the interim restriction action(s); and
4. An explanation of the process for emergency appeal reviews.

In cases alleging sexual misconduct or interpersonal violence, the complainant will be provided with notice of any interim restrictions that relate directly to the complainant. If the respondent appeals such interim restrictions, the complainant will be given notice of the respondent's appeal and an opportunity to submit a statement within 5 business days of the notice as to why the interim restriction should or should not be modified.

If a student has been suspended on an interim basis, the student will automatically receive an emergency appeal review with the vice president for student affairs, or designee. If the interim restriction is something less than a suspension, the student or student organization subject to

the interim restriction must file a written appeal with the vice president for student affairs within 5 business days after service of the interim restriction. In all cases, the student must submit any information the student wishes the vice president to consider submitted within 10 business days after service of the interim restriction. The appealing party should outline the desired modification(s) to the interim restriction as well as the specific challenge(s) to the interim restriction decision. Challenges to interim restriction decisions are limited to threat to health or safety of the university community, potential for creating campus disorder, impeding the lawful activity of others, etc. Appealing parties are limited to submitting their own written statements. Any other evidence should be submitted to the investigator or provided to the CRO under the regular hearing process.

The vice president for student affairs, or designee, will conduct an emergency appeal review after receiving the respondent's review and complainant's response, if any. Emergency appeal reviews will address only the interim restriction decision of the director and the basis on which the restriction modification or termination is requested by the appealing party. The emergency appeal review does not replace the regular hearing process. In the emergency appeal review, the vice president will only review materials available to and information considered by the dean of students at the time the interim restriction was imposed, written statements by the two parties, and information that becomes available as a part of the university's investigation that the vice president deems relevant.

If a complainant believes the interim restriction does not adequately protect their health and safety, the complainant may appeal the interim restriction. If the complainant files an appeal, all parties shall be given notice of the appeal and shall be provided the opportunity to submit a written statement to the vice president within 5 business days of receiving notice of the complainant's appeal.

During the emergency appeal review, the vice president for student affairs will review available materials and statements, and will issue a written decision upholding, modifying, or terminating the interim restriction action. The written decision shall include a rationale for the basis of the decision and be issued within 15 business days of the date of service of an interim restriction.

The interim restriction does not replace the regular hearing process, which will proceed as quickly as feasible. An interim restriction will remain in effect until terminated, in writing, by the student disciplinary council, CRO, or the vice president for Student Affairs.

### **Sanctions and Remedies**

If any student or student organization is found to have committed any of the offenses described in the student conduct code, one or more of the sanctions described in this section may be imposed against the student or student organization. Imposed sanctions are effective as of the date the CRO or council issues its decision unless the decision specifically identifies an alternative date. Failure to comply with any imposed sanction may result in additional sanctions. If a student is also an employee of the university, the university may impose additional discipline in accordance with its policies and procedures pertaining to employees.

1. **Admonition:** An oral statement to a student that he/she has violated university rules and regulations.
2. **Warning:** A verbal or written notice to the student or student organization that they have violated the standards for student conduct and that any repeated or continuing violation of the same standard, within a specified period of time, may result in more severe disciplinary action.
3. **Censure:** A written reprimand for violation of specified regulations. A censure will also state that more severe disciplinary sanctions may be imposed if the student or student organization is found in violation of any regulation within a stated period of time.
4. **Disciplinary probation:** A formal action that places one or more conditions, for a specified period of time, on the student's continued attendance. Disciplinary probation sanctions will be executed in writing and will specify the probationary conditions and the period of the probation, and will inform the student that any further misconduct will automatically involve consideration of suspension. Probationary conditions may include but are not limited to restricting the student's university-related privileges, limiting the student's participation in extra-curricular activities, and/or enforcing a "no contact" order which would prohibit direct or indirect physical and/or verbal contact with specific individuals or groups.
5. **Restitution:** Reimbursement to the university or others for damage, destruction, or other loss of property suffered as a result of theft or negligence. Restitution also includes reimbursement for medical expenses incurred due to conduct code violations. Restitution may take the form of appropriate service or other compensation. Failure to fulfill restitution requirements will result in cancellation of the student's registration and will prevent the student from future registration until restitution conditions are satisfied.
6. **Fines:** The CRO and the student disciplinary council may assess monetary fines up to a maximum of four hundred dollars against individual students for violation of university rules or regulations or for failure to comply with university standards of conduct. Failure to promptly pay such fines will prevent the student from future registration and may also result in additional sanctions.
7. **Discretionary sanctions:** Work assignments, service to the university community or other related discretionary assignments for a specified period of time as directed by the hearing authority.
8. **Loss of financial aid:** In accordance with RCW 28B.30.125, a person who participates in the hazing of another forfeits entitlement to state-funded grants, scholarships or awards for a specified period of time.
9. **Assessment:** Referral for drug/alcohol or psychological assessment may be required. Results of the assessment may lead to the determination that conditions of treatment and further assessment apply to either continued attendance or return after a period of suspension.
10. **Suspension:** Exclusion from classes and other privileges or activities for a specified period of time. Suspensions will be executed through a written order and will state all restrictions imposed by the suspension, as well as the suspension period and conditions of readmission, if any. Suspensions may be noted on the student's transcript during the period of time the suspension is in effect.

11. **Expulsion:** Permanent separation of the student from the university with no promise (implied or otherwise) that the student may return at any future time. The student will also be barred from university premises. Expulsions may be noted on the student's transcript.
12. **Loss of institutional, financial aid funds:** Formal withholding of all or a part of institutional funds currently being received by the student or promised for future disbursement to the student for a specified period of time. Loss of financial aid is subject to the processes outlined in the student conduct code, except any such loss must be approved by the dean of students and the vice president for Student Affairs before such sanction is imposed.
13. **Revocation of degree:** A degree awarded by the university may be revoked for fraud, misrepresentation, or other violation of law or university standards. Revocation of a degree must also be approved by the university president.

## OVERVIEW OF FORMAL TITLE IX INVESTIGATION

(For FULL PROCESS, see [EWU Policy 402-05 – Title IX Investigations & Hearings](#))

If a Title IX complaint is filed against an employee, the university will follow the procedures below.

The Title IX Coordinator or designee will review the complaint to determine whether or not the it constitutes a formal Title IX complaint. If it doesn't meet all of the criteria, it will be evaluated as a potential violation of EWU Policy 402-01 or other policy or expectation and may be investigated under EWU's investigative guidelines or EWU policy 402-01. If a complaint meets all the requirements for a formal Title IX complaint, the parties will be notified that the complaint meets the definition of a formal Title IX complaint and it will be investigated and adjudicated under EWU Policy 402-05. The Title IX Coordinator, in conjunction with the appointment authority, will determine whether any interim restrictions or paid administrative leave is needed. The Title IX Coordinator will provide the complainant with reporting options, resources, and supportive measures. The Title IX Coordinator is also responsible for coordinating any requests for supportive measures by the respondent.

If the complaint is a formal Title IX complaint, EWU must either have a formal signed complaint by the aggrieved party or a complaint from the Title IX coordinator before the university can proceed to an investigation. For sexual misconduct cases that do not constitute a formal Title IX complaint, the university can proceed with an investigation even in the absence of a formal complaint.

The next step in the process is for the Title IX Coordinator to assign an investigator. The investigator shall provide the respondent and complainant with a written notice of investigation that includes:

- A. A written list of the allegations;
- B. Contact information for the investigator;
- C. Parties' rights during the process, including:
  - Right to a fair and equitable process.
  - Right to have decision-makers with no conflict of interest or bias against the parties.
  - Right to remain silent during the investigation and hearing.
  - Right to have an advisor of their choice, at their cost (may be an attorney or union representative) during the investigation and hearing process.
  - Right to an advisor provided by the university for the purposes of conducting cross-examination if they do not have an advisor for formal Title IX complaints only.
  - Right to be presumed not responsible and that a conclusion of responsibility is not made until the conclusion of the hearing process.
  - Right to request an accommodation or interpreter for the process.
- D. Notify both parties that complainants, respondents, and witnesses are prohibited from knowingly furnishing false information during the investigative and hearing process;

- E. EWU's prohibition on retaliation and how to report acts of retaliation; and,
- F. Information about supportive measures and resources available to both parties.

Written notice of the investigative process must include:

- A. Contacting the complainant and respondent to review the complaint, gather more information, and to identify relevant witnesses and relevant evidence. The complainant may be contacted more than once. The respondent may choose to respond verbally, in writing, or not at all.
- B. Conducting interviews with witnesses who have knowledge of the alleged behavior, and gathering relevant evidence.
- C. Parties and witnesses may be contacted once or numerous times as necessary to gather the relevant information.
- D. Parties may present fact witnesses, expert witnesses, and other inculpatory and exculpatory evidence. If a party wishes to present an expert witness, the party is responsible for any costs associated with the expert witness.

If the investigator is not able to obtain sufficient evidence or if the complainant withdraws the complaint during the investigative process, the investigator may refer the complaint back to the Title IX Coordinator to consider whether or not mandatory or discretionary dismissal is appropriate.

After gathering relevant evidence, the investigator must provide both parties and their advisors an equal opportunity to inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised. For formal Title IX complaints, the parties have ten calendar days to submit a written response for consideration by the investigator.

The investigator will provide an investigative report to both parties and their advisors for their review and written response. Any written response to the investigative report must be provided to the investigator within five calendar days. For formal Title IX complaints, the report must not include any conclusions regarding whether or not the allegations are substantiated or unsubstantiated.

For non-Title IX complaints of sexual misconduct, the investigator will make factual findings. The investigative report is provided to Human Resources and the respondent's supervisor. A copy is also provided to both parties. The respondent's supervisor will determine whether or not the respondent violated a policy or engaged in misconduct and will determine the appropriate level of discipline, if any. This decision may be challenged through a grievance process under the appropriate collective bargaining agreement if the respondent is part of a bargaining unit represented by a union. For other employees, the supervisor's decision is final.

The following process only applied to formal Title IX complaints. A copy of the investigative report, evidence, and the parties' written responses will be provided to the Labor Relations Manager for purposes of convening a hearing board.

Parties may have an advisor of their choice, at their cost, during the investigative and hearing processes. During the investigative process, the advisor may be present and advise the party, but may not answer questions on the party's behalf. During the hearing process, the advisor may make a closing statement on behalf of a party and ask questions of witnesses and parties. If a complainant or respondent does not have an advisor, they should contact the Title IX Coordinator to request one. The university will provide an advisor for purposes of conducting cross-examination of witnesses and parties.

After the investigative process is complete, a hearing board will be convened, comprised of three current EWU employees. One member shall be the AVP for Human Resources or designee) who will serve as the presiding officer. Members of the hearing board must have completed training on issues relating to sexual misconduct and interpersonal violence, Title IX, and the Violence Against Women Reauthorization Act, and be free of conflict or bias.

The hearing will be scheduled, and both parties will be notified. The hearing must take place at least ten calendar days after the investigative report is completed and no more than thirty calendar days after completion of the report, unless there are extenuating circumstances. The hearing notice must include:

- Time, date, and location of the hearing;
- Names of people who have been selected to serve on the board;
- A written list of the allegations with sufficient details of the allegations;
- Information about how to request accommodations or an interpreter;
- Right to have an advisor or union representative present at the hearing and who to contact if they need the university to provide them with an advisor;
- Overview of the purpose of the hearing, the hearing process, and what types of evidence may be presented; and,
- Explanation that if a party fails to appear at the hearing, the board will make its decision without consideration of their testimony or statements previously provided.

The hearing board will be provided a copy of the investigative report prior to the hearing, and will consider evidence at the hearing. The board will not consider statements obtained from a person who is not present at the hearing. Witnesses and parties must testify under oath or affirmation. Members of the hearing board may ask questions of any of the witnesses or parties, and advisors may ask questions of any of the witnesses. For cross-examination of parties, a complainant's advisor may ask questions of the respondent and a respondent's advisor may ask questions of the complainant.

The presiding officer may preclude any questions the officer considers irrelevant and must make such determination before an answer is given. The presiding officer must also exclude any questions or evidence pertaining to the complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence are offered to prove that someone other than the respondent committed the alleged conduct, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The presiding officer will explain to the parties the reason for rejecting any questions and will maintain a record of the questions submitted and rulings made.

If a party has physical evidence that they want the board to consider, such as videos, text messages, or social media posts, the evidence should be provided at least two calendar days prior to the hearing. The Labor Relations Manager will make sure copies of the physical evidence are available to both parties and the hearing board. The parties have the right to view all material presented during the course of the hearing, except a respondent's previous corrective/constructive or disciplinary history.

The hearing shall proceed in the following manner:

1. The investigator shall provide a summary of the process followed, people interviewed, and evidence collected, and answer questions asked by the board and the advisors. The investigative report will be admitted into evidence. Statements obtained from witnesses or parties who do not testify at the hearing and make themselves available for cross-examination shall not be considered by the board.
2. If there is a law enforcement investigation or report, a representative from the applicable law enforcement agency may provide a summary of the process followed, people interviewed, and evidence collected, and answer questions asked by the board and the advisors. The police report will be admitted into evidence. Statements obtained from witnesses or parties who do not testify at the hearing and make themselves available for cross-examination shall not be considered by the board.
3. Witnesses may then be presented by the university, complainant, and respondent. Parties are responsible for making sure their witnesses are available and present at the hearing.
4. The complainant will be provided with an opportunity to testify.
5. The respondent will be provided with an opportunity to testify.
6. The hearing board can also call any witnesses to testify.
7. Following the testimony of all witnesses, the complainant or complainant's advisor and then the respondent or respondent's advisor will be given ten minutes to make a closing statement before the hearing is closed.

The presiding officer may exclude witnesses from the hearing room when they are not testifying, and may decline to allow a witness to testify if the information provided by the witness will be irrelevant. A witness or party may request the opportunity to appear remotely by a method that allows the person to be seen and heard by the hearing board. The complainant and respondent have a right to hear all testimony provided during the hearing. Upon request, a recording of the hearing must be provided to the parties for inspection and review.

The hearing board must make findings of facts and conclusions as to whether or not the respondent violated a university policy or engaged in misconduct based on a preponderance of the evidence, meaning that it is more likely than not (50+%) that something did or did not occur. Neither the complainant nor the respondent has the burden of proof. This means the respondent is presumed to be not responsible and does not have to prove they are not responsible. Rather, the university has the burden of collecting evidence to establish whether or not the respondent is responsible based on a preponderance of the evidence.

Following the hearing, the hearing board will objectively review all relevant evidence a closed session. The hearing board must determine whether or not the respondent violated a university

policy or expectation based on a preponderance of the evidence. If the hearing board determines the respondent violated a university policy, failed to meet university expectations, or engaged in misconduct, the hearing board shall decide what discipline or corrective/constructive action to impose and remedies to award, in conformance with any applicable collective bargaining agreement. The hearing board may review the respondent's previous disciplinary and corrective/constructive history solely for purposes of determining the appropriate level of discipline.

Within ten calendar days of the hearing, the hearing board must issue a written decision, which must include findings of fact and conclusions as to whether or not university policy has been violated, the respondent failed to meet university expectations, or engaged in misconduct. More specifically, the written include:

- A. Identification of the allegations;
- B. A description of the procedural steps taken from receipt of the formal complaint through the hearing board decision;
- C. Findings of fact supporting the determination;
- D. Conclusions regarding whether or not the substantiated facts constitute a violation of EWU policy or misconduct;
- E. Level of discipline or corrective/constructive actions imposed;
- F. A statement of, and rationale for, the result as to each allegation, including determinations regarding responsibility and corrective/constructive or disciplinary actions;
- G. Whether the university will provide the complainant with any remedies designed to restore or preserve equal access to EWU's programs or activities; and,
- H. The basis on which the decision may be appealed and how to follow and appeal.

The presiding officer shall ensure that a copy of the written decision is provided simultaneously to the complainant, respondent, respondent's supervisor, and Title IX Coordinator. If neither party timely appeals, the hearing board's decision becomes final either on the date the time for appeal has expired or, if an appeal is timely filed, when the appellate authority's decision is issued.

The hearing board may issue appropriate disciplinary or corrective/constructive action in accordance with the applicable collective bargaining agreement or university policy. This may include, but is not limited to, corrective/constructive action or discipline, including letters of expectation, letters of coaching and counseling, performance improvement plans, verbal or written reprimand/warning, temporary suspension, demotion, reassignment, mandatory training, and/or termination.

The hearing board must also consider whether any remedies are needed to restore or preserve the complainant's equal access to the university's educational programs and activities. This may include long-term supportive measures. A remedy may be disciplinary and burden a respondent, such as permanently prohibiting the respondent from contacting the complainant or restricting the respondent's ability to participate in a particular activity. Substantiated findings of sexual misconduct must be included in the respondent's personnel file.

## Title IX Appeal Process

The complainant or respondent may appeal the hearing board's decision by filing a written appeal within ten calendar days of the decision. To file an appeal, the complainant or respondent must either email or physically deliver a written appeal to the Labor Relations Manager. The appeal must set forth why the person believes the hearing board's decision was incorrect, how it fits within the basis for appeal, and the relief requested.

An appeal may be filed from the decision to dismiss a Title IX complaint and/or from the hearing board's decision on the following bases:

- A. Procedural irregularity or failure to comply with a collective bargaining agreement that affected the outcome of the case;
- B. New evidence that was not reasonably available at the time of the decision that could affect the outcome of the case; or,
- C. The Title IX Coordinator, investigator, or hearing board had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent which affected the outcome of the case.

Upon receipt of an appeal, the Labor Relations Manager shall notify the other party of the appeal, provide them with a copy, and give them an opportunity to respond. The responding party may submit a response to the appeal or a counter-appeal within ten calendar days of receiving the appeal.

The university shall appoint a senior administrator to serve as the appellate authority. Typically, this will be the appointing authority for the division under which the respondent is employed. The appellate authority cannot be someone who served on the hearing board, the investigator, or the Title IX Coordinator. The appellate authority must have completed training on issues relating to sexual misconduct and interpersonal violence, Title IX, and the Violence Against Women Reauthorization Act and must be free of conflict or bias.

The appellate authority shall review all of the evidence presented and admitted during the hearing, including a review of either the audio recording or transcript of the testimony and the documentary evidence. The appellate authority shall also review the appeal and the response from the responding party, if any. The appellate authority may affirm, reverse or modify the hearing board's decision based on the grounds for appeal. The appellate authority may also remand the case back to the hearing board to take additional evidence or for a new hearing before a new board. The appellate authority must issue a written decision describing the result of the appeal and the rationale of the result, which must be simultaneously provided to the respondent, complainant, respondent's supervisor, and Title IX Coordinator. The appeal decision must be issued within thirty calendar days of receipt of the responding party's response to the notice of appeal. The appellate authority's decision is the final decision of the university. Judicial review of such decision may be available under RCW 34.05. The decision is not subject to grievance or arbitration under a collective bargaining agreement.

## OVERVIEW OF INVESTIGATION OF SEXUAL MISCONDUCT & INTERPERSONAL VIOLENCE

(For FULL PROCESS, see [EWU Policy 402-01 – Sexual Misconduct, Interpersonal Violence & Title IX Responsibilities](#) and [EWU Guideline 401-01 – Investigations](#))

Complaints of sexual misconduct and interpersonal violence that do not meet the requirements for a formal Title IX complaint will be assigned to an investigator and handled under EWU Guideline 401-01 (Investigations), with some additions and exceptions as outlined in EWU Policy 402-01, Sexual Misconduct, Interpersonal Violence & Title IX Responsibilities. Each investigation is unique and may or may not include all of the tasks described.

- A. **Contact complainant.** If the investigator did not meet with the complainant in the pre-investigation stage, the investigator will contact the complainant to review the complaint, and to identify relevant witnesses and relevant evidence (e-mails, memos, photos, etc.). If necessary, the investigator may contact the complainant on more than one occasion during the course of the investigation to obtain additional information and clarification.
- B. **Notice of Investigation.** After determining the specific alleged behaviors at issue, the investigator will send a notice of investigation to the respondent and a copy of the investigative guidelines. The notice shall conform to any particular requirements of the applicable collective bargaining agreement. The notice must (i) contain a list of the allegations with sufficient details of the allegations based on current information, including, if known, date and time of the incident, description of the conduct, and the specific policies or expectations allegedly violated; (ii) information about how to seek supportive measures and available resources; (iii) right to have an advisor of their choice, at their cost, during the investigation and disciplinary process; (iv) right to request an accommodation or interpreter for the process; and (v) information about EWU's prohibition on retaliation and how to report acts of retaliation.

The complainant must also receive a notice of investigation that contains the same information identified above for the notice of investigation to respondent. Both the respondent and complainant may have a union representative or advisor of their choice present during any meeting or interview under this policy. The representative/advisor may not interfere with the interview or answer questions on the complainant or respondent's behalf.

- C. **Initial Meeting with Respondent.** The investigator will set up an initial meeting with the respondent. At the initial meeting, the investigator will explain the investigative process.
- D. **Provision of the Complaint.** The investigator will provide the respondent with a copy of the written complaint, if any. If there is not a complaint, the respondent will be provided with a written statement of the specific behavior/incident being investigated.

- E. **Interview Respondent.** The respondent will be provided an opportunity to respond to the allegations, either at the first meeting and/or at subsequent meetings. The response may be either verbal and/or in writing. The respondent will have an opportunity to provide relevant information/documents regarding witnesses and evidence (emails, memos, photos, etc.).
- F. **Interviews.** The investigator will determine the order of interviews depending on the nature of the complaint. The investigator will arrange interviews with witnesses having firsthand knowledge of the alleged behavior and gather evidence relevant to the allegations. If necessary, the investigator may contact identified witnesses on more than one occasion during the course of the investigation to obtain additional information and clarification.

The investigator and decision-maker may not gather or consider evidence about the complainant's sexual predisposition or prior sexual behavior, unless the evidence is relevant to demonstrate that someone other than the respondent committed the conduct alleged by the complainant, or the evidence concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is relevant to the question of consent.

- G. **Investigative Report.** After completing the interviews and gathering evidence supporting or rejecting the allegations, the investigator will draft a report. The investigator will determine whether or not the allegations are substantiated based on a preponderance of the evidence. A preponderance means that it is more likely than not (50+%) that something did or did not occur. The university has the burden of collecting evidence to establish whether or not the respondent is responsible based on a preponderance of the evidence. Both the complainant and respondent will be provided with a copy of the initial draft of the investigative report and will have five days to respond in writing to the information contained therein. After five days and considering any additional statements received, the investigator may finalize the report.

The final report will assess each of the allegations and may conclude there is sufficient evidence to substantiate the alleged behaviors based on a preponderance of the evidence or there is insufficient evidence to substantiate the alleged behaviors. The final report will not include legal conclusions or determine whether a policy has been violated or misconduct has occurred. There is no appeal of an investigation finding. A copy of the final report will be provided simultaneously to the complainant, respondent, respondent's supervisor and the Title IX Coordinator.

- H. **Investigative File.** The investigator will confirm the final investigative file is organized and complete with a copy of the final investigative report and copies of any evidence (e.g. written statements, notes, documents, photos, etc.) gathered in the course of the investigation.
- I. **Final Reports.** Upon completion of an investigation, the final investigative report must be provided to the Labor Relations Manager and Decision Maker.

- J. **Notice of Intent to Discipline.** If a respondent is entitled to notice of the university's intent to impose discipline under any applicable collective bargaining agreement, a copy of such notice must also be provided simultaneously to the complainant.
- K. **Pre-Disciplinary Meeting.** If a respondent is entitled to a pre-disciplinary meeting under an applicable collective bargaining agreement, the complainant must be notified in advance of the time and place of such meeting. The complainant shall have an equal opportunity to provide additional information for the supervisor's consideration at the pre-disciplinary meeting. If the respondent is allowed to provide additional information in writing, the same opportunity must be provided to the complainant.
- L. **Disciplinary Decision.** A copy of the university's written disciplinary decision shall be provided simultaneously to the complainant and the respondent. The decision shall include the rationale for the result and the discipline imposed. The complainant and respondent shall be simultaneously informed in writing of any changes made to the disciplinary action, and when the results become final. A copy of all disciplinary decisions must also be provided to the Title IX Coordinator.
- M. **Right to be Present.** During any disciplinary meeting where the respondent has the opportunity to be present, the complainant also has the right to be present as required by federal law. If the respondent has the right to have an advisor accompany them to a disciplinary meeting, the complainant has the same right.
- N. **Access to Information.** The complainant and respondent will, upon request, be provided with access to any information reviewed by the supervisor in determining whether to impose discipline.
- O. **Limitations of Appeals/Grievances.** Neither the complainant nor the respondent has the right to appeal or challenge a faculty finding in an investigation. If the respondent has the right to challenge any discipline imposed under the applicable collective bargaining agreement by filing a grievance, the complainant has an analogous right to timely challenge the level of discipline imposed by filing a request for reconsideration with the respondent's supervisor. If a grievance is filed challenging discipline imposed under this policy, the complainant has the right to be present and participate to the same extent as the respondent in any subsequent disciplinary or grievance procedures as required by the Violence Against Women Reauthorization Act.

**PROCEDURES VICTIMS SHOULD FOLLOW IF A SEXUAL ASSAULT,  
DOMESTIC VIOLENCE OR STALKING OCCURS**

- 1) Immediately get to a safe place. Do not shower or wash your clothing.
- 2) Obtain any necessary medical treatment/preserve evidence. Time is a critical factor in the collection and preservation of evidence. A sexual assault exam preserves your ability to file a police report and pursue criminal charges if you choose to do so. If evidence is to be collected, do not eat, drink, smoke, shower or change clothes if possible. If clothes are changed, take soiled clothing to the hospital in a paper bag for evidence collection. The following hospitals are closest to the university and have experience in performing sexual assault exams:
  - Sacred Heart Medical Center, 101 W 8<sup>th</sup> Ave, Spokane, 509.474.3131
  - Deaconess Hospital, 800 W 5<sup>th</sup> Ave, Spokane, 509.458.5800
  - Holy Family Hospital, 5633 N Lidgerwood St, Spokane, 509.482.2460

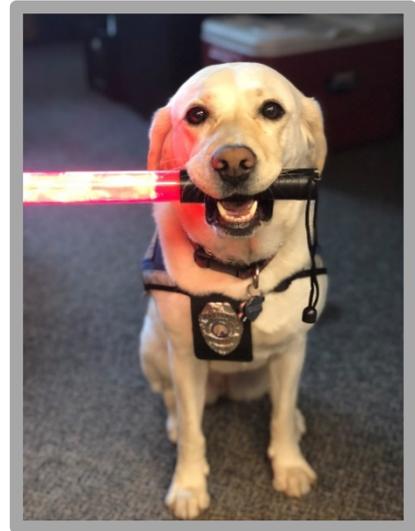
EWU Police can be contacted for a free ride to one of these hospitals for a sexual assault exam by calling 509.359.7676. An LCS Northwest Advocate will be available to assist you at the hospital.

Victims of physical acts of domestic violence or relationship violence should not attempt to cover or conceal any injuries sustained, or change their clothing prior to a medical examination, as this evidence may be of paramount importance in the event of future criminal charges. Victims of stalking should not delete evidence, such as voicemail messages, text messages, emails or social media posts.

- 3) Write down details. Try to write down, or have a friend write down, everything you can remember about the incident including a physical description of the perpetrator.
- 4) Consider reporting the incident to the police or university officials (a victim has the option to decline to notify law enforcement); and
- 5) Utilize support, advocacy and resources. You are encouraged to contact the Student Care Team at 509.359.7924 in 301 Pence Union Building (PUB) to learn more about your reporting options (confidential v. private). Throughout this process, a Care Team member will support you by providing a private place to discuss your situation. An advocate can also assist you in reporting to the police, exploring and arranging for counseling, academic assistance, safety planning and changes in living situations.

## Victim Services on Campus

- Counseling and Wellness Services (CWS), located in 225 Martin Hall; 509.359.2366) provides free, confidential resources for all students and can refer others to local services. CWS offers walk-in appointments every weekday afternoon. [C]
- Dean of Students Office – 301 Pence Union Building; 509.359.7924 – can provide support and referrals, and explain students' rights and options. The University will modify students' academic schedules or living situations on campus after an alleged sex offense, domestic violence, dating violence or stalking if those changes are requested by the student, and are reasonably available. The Student Accommodation & Support Services Team (121 Tawanka) can contact resources on the student's behalf and assist with requests for modifications.
- Title IX Coordinator & AVP for Civil Rights, Compliance & Risk Management – 211 Tawanka, 509.359.6724.
- EWU Police Department – Red Barn; Business office 509.359.6498, or immediate police assistance 509.359.7676; can provide information regarding laws and victim rights, as well as self-defense classes.
- Human Resources– SHW 314, 509.359.2381
- Student Rights and Responsibilities – SHW 127, 509.359.6960
- Washington State Employee Assistance Program (EAP) – Confidential counselors, financial consultation and legal consultation for Washington State employees: 509.482.3686. [C]



## Victim Services Off Campus

- 24/7 Regional Crisis Line provides services for and on behalf of individuals whose health or safety is in danger because of a mental health or substance use condition: 1.877.266.1818. [C]

- Lutheran Community Services (LCS) Northwest provides wide-ranging, confidential services and a 24/7 Sexual Assault Crisis Line through its SAFeT Resource Center: 509.624.7273, and they are on campus as needed. They also provide services for children and families. [C]
- National Domestic Violence Hotline – advocates available to talk with anyone experiencing domestic violence, seeking resources or information or questioning unhealthy aspects of their relationship. 1.800.799.7233 [C]
- RAINN (Rape, Abuse & Incest National Network), a national resource for survivors: 1.800.656.HOPE (4673) or chat online: <http://apps.rainn.org/ohl-bridge/> [C]
- YWCA Alternatives to Domestic Violence – 24-hour help line: 509.326.2255

### Employee Leave Related to Domestic Violence, Sexual Assault and Stalking

As outlined in EWU Policy 403-05 (Employee Leave Related to Domestic Violence, Sexual Assault & Stalking), EWU provides reasonable leave from work, intermittent leave, or leave on a reduced schedule so an employee who is a victim, or has a family member who is a victim, of domestic violence, sexual assault or stalking can: seek legal or law enforcement assistance or remedies; seek treatment by a health care provider for physical or mental injuries; obtain services from a domestic violence shelter, rape crisis center, or other social services program; obtain mental health counseling; and participate in safety planning to increase the safety of the employee or employee's family members from future domestic violence, sexual assault or stalking. The employee or designee must give notice to the employee's supervisor and/or the Human Resources Office of the requested leave by the end of the first day the employee takes leave.

## Statement of Prevention and Awareness Education

The University educates its community about sexual assault, domestic violence, dating violence and stalking through education that begins before students get to campus, during welcome week orientation programming, and throughout a student's time at EWU. New students receive training about personal safety, residence hall security, the University's prohibition and definition of such crimes, the definition of consent in Washington State, a description of safe and positive options for bystander intervention, information on risk reduction, an overview of programs EWU offers to prevent such crimes, the procedures EWU will follow when one of these crimes is reported, and an overview of the student process for such crimes. The training is designed to stop these types of crimes from occurring through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention and promote positive social norms. New employees receive training about their responsibilities to respond to and report crimes of sexual and interpersonal violence.

EWU mandates that all employees, including student employees, receive training about sexual harassment, sexual assault, domestic violence, dating violence and stalking. EWU offers both online training and in-person training sessions. This training includes: (1) information about EWU's policies prohibiting sexual harassment, sexual assault, domestic violence, dating violence, and stalking; (2) the definition of domestic violence, dating violence, sexual assault and stalking in Washington State; (3) the definition of consent in Washington state; (4) safe and positive options for bystander intervention; (5) information on recognizing harassing behavior; and (6) employees' responsibility to report incidents to the Title IX coordinator.

Typically, our primary and ongoing sexual assault prevention programs include the following:

- *Speaking of Sex* is an interactive, highly engaging program that we require new students to participate in each year during Welcome Week. This program addresses sexual assault education, bystander intervention, and interpersonal communication about sex, consent, and healthy relationships.



- *Start by Believing* is a campus-wide public awareness campaign that supports survivors of sexual assault through positive community response and bystander intervention. Educational presentations are given throughout the year. This program goes over rape myths, statistics, EWU policy, and campus community resources. It also provides participants information on how to respond to someone that tells them they have been sexually assaulted so that they can get linked to help.
- *Sexual Assault Action Week* is held in April and offers a variety of educational and awareness events around topics related to sexual assault prevention and resources. This year, was offered virtually due to COVID-19 and included: *What Were You Wearing?* Art Installation; Denim Day awareness; Pain the Town Teal; and consent education.
- *EWU Title IX & Nondiscrimination Training* provides information to employees to help them understand their roles and responsibilities under Title IX, including an introduction to

Title IX, what a responsible employee is, what information must be shared with the Title IX coordinator, and how to respond to and report crimes of sexual assault, domestic violence, relationship violence and stalking. It also includes training about nondiscrimination and harassment.

- The Title IX Coordinator provides in-person training on the definitions of sexual assault, domestic violence, dating violence, stalking and sexual harassment. This training covers reporting options, resources, supportive measures, rights, and process, and bystander intervention. The training is offered to employees that prefer in-person training to the on-line option. All student athletes and members of the Greek Life community are required to go through this training annually.
- *Eagle Upstanders* is an online course offered to all new students each year. It covers sexual assault education and prevention, high risk drinking, drug use, bystander intervention, healthy relationships, and university resources.

In addition to the above, year-round educational programming is conducted through Counseling and Wellness Services, and Housing and Residential Life, on both alcohol education and sexual assault prevention. This is conducted through our Health Hut, small group presentations and classroom presentations. Because of the reduced populations of students and employees on campus in 2020, programming was limited. Speaking of Sex was offered to incoming students in Fall 2020. Eagle Upstanders was also presented to new students, and a virtual sexual assault awareness month was conducted.

Prevention programs offered on the campus are based on research-informed practices and strive to be culturally relevant, inclusive, and responsive. Sustainable prevention programming is based on the socio-ecological model and considers the relationship of individuals with their university, community, and society. Educational programs may be requested by contacting Counseling & Wellness Services: 201 University Recreation Center; 509.359.2366.

## **Bystander Intervention**

A bystander is a person who is present when an event takes place but isn't directly involved. Bystanders might be present when sexual assault or abuse occurs—or they could witness the

circumstances that led to these crimes. Stepping in may give the person you're concerned about a chance to get to a safe place or leave the situation. Below are ways you can be an effective, active bystander without posing risk to yourself:

1. **Notice the Event.** Be aware of your surroundings and what is happening around you.
2. **Identify When it's Appropriate to Intervene.** Sometimes it is hard to tell if someone is in need of help. Err on the side of caution and investigate. Don't be sidetracked by ambiguity, conformity or peer pressure.
3. **Assume Personal Responsibility.** Do I need to act? Do not assume someone else will do something. *If not you, then who?*
4. **Know How to Help.** Never put yourself in harm's way, but DO SOMETHING. The key to intervening is knowing how and when to help, and more importantly, knowing how to help safely. Help can be direct or indirect.
5. **Take Action to Intervene.** There are multiple options when it comes to intervening. Research shows that if you are alone, you will help 80% of the time but if you are in a group you will only help 20% of the time because you think someone else will do something. When you notice something going on, ACT! Directly address the situation, create a distraction, delegate someone else to help.

## Sexual Assault Risk Reduction

Most sexual assault among college students involved people who know each other and the majority involve use of alcohol or other drugs. Whether someone is sober or under the influence of alcohol or other drugs, if they are sexually assaulted they are not responsible for the assault. Anyone can be sexually assaulted, and there are no sure means to prevent sexual assault, because the only people who can prevent sexual assault or those who perpetrate it. However, you can take steps to lessen the likelihood that you or your friends will be assaulted.

Tips to reduce the risk of being sexually assaulted include:

- Know where you are going and speak up if you are uncomfortable with plans.
- Listen to your gut instincts.

- Know your sexual intentions and limits, and communicate clear consent with your partner. NO MEANS NO.
- If you drink, drink responsibly. Know that drinking and drugs can impair your judgment.
- If you drink, drink something that you poured yourself or that comes in a container that you open yourself. Never leave your beverage unattended.
- Avoid walking alone at night. Don't go anywhere with someone you just met. Let your friends know where you are going and when you are coming back. If you are worried about a friend's safety, tell them.
- Plan your walk by choosing a safe, well-lit and populated route.
- Attend a self-defense course such as the classes offered by the EWU Police Department to learn additional general safety and risk reduction strategies.

Tips for reducing the risk of committing sexual assault include:

- Listen carefully to hear what the other person is saying. If you feel you are receiving a mixed message, ask for clarification.
- Don't think that "no" really means "yes." If your partner says no, believe them and stop.
- Don't make assumptions that someone wants to have sex because of the way they are dressed, because they are drinking, or because they agree to go to your room. Obtain clear consent for each sexual activity.
- Know that having sex with someone who is incapable of giving consent is rape.
- Be careful in group situations; resist pressure from friends to participate in violent acts.
- Remember that sexual assault is a crime punishable through student conduct, criminal and civil proceedings.

# Sex Offender Registry

The Campus Sex Crimes Prevention Act of 2000 is a federal law that requires institutions of higher education to advise the campus community where information concerning registered sex offenders may be obtained. It also requires sex offenders, who are already required by state law to register in their state, to provide notice to each institution of higher education in that state, at which the person is employed or is a student. The Spokane County Sheriff's Office monitors all registered sex offenders in Spokane County, and alerts the EWU Police when there is a sex offender under supervision enrolling as an EWU student or working as an EWU employee.

EWU will provide reasonable public notice regarding the presence of sex offenders on EWU premises. Information that is relevant and necessary to protect the public and to counteract the danger created by a particular offender is released pursuant to RCW 4.24.550. The extent of such notices will be based upon a case-by-case evaluation of the offender's risk classification, the risk posed by the offender to the community, the location where the offender resides, intends to reside, is regularly found, or is employed, and the needs of affected community members for information that is necessary to protect their interests and safety.

Notification will generally follow this guideline:

1. Level 1: Notification will be provided to the faculty for each class in which the student registers;
2. Level 2/3: In addition to Level 1 requirements, notification will be placed in the registered sex offender binders that are located throughout the campus. Notification will also be provided to any facility where children are educated or cared for, including Running Start. Notification may also be provided through other means as deemed necessary.

The EWU Police Department maintains records of sex offenders who have been brought to their attention. These documents are available to the public and strategically located on campus, including the EWU Police Department, located in the Red Barn, JFK Library, the Dean of Students Office, and the EWU Child Care Center.

For information on registered sex offenders located at Eastern Washington University either visit the Red Barn during university business hours or see the website at:

<https://inside.ewu.edu/police/crime-data/sex-offenders/>

Using this public information to threaten, intimidate or harass sex offenders is not tolerated.



# Alcohol and Drug Policies

## University and Community

The University is committed to promoting the health and safety of the campus community by offering programs of alcohol education and enforcing relevant policies. While activities covered by the laws of the community and those covered by the University's rules may overlap, the community's laws and the University's rules operate independently and do not substitute for each other. The University may pursue enforcement of its own rules whether legal proceedings are under way or being considered, and may use information from third-party sources, such as law enforcement agencies and courts, to determine whether University rules have been broken. The University will make no attempt to shield members in the University community from the law. Membership in the University community does not exempt anyone from local, state or federal laws, but rather imposes the additional obligation to abide by all of the University's regulations.

## Alcohol Policies

The health and safety of the campus community is promoted by the University through alcohol education programs and the implementation of pertinent policies. EWU strives to provide a substance-free environment in which the university mission may be realized. Well-being is a state of intellectual, physical, emotional, social and spiritual health involving responsible decisions regarding substance use. The university's Substance Abuse Prevention Program is dedicated to coordinating efforts of the university in promoting wellness and responsible decision-making regarding alcohol and drug use. Employment and student enrollment at Eastern Washington University is conditional on each employee's and student's willingness to abide by these policies and procedures.

The use, possession, delivery and sale of alcohol while on university-owned or controlled property is prohibited except as authorized by the university under WAC 172-64, Alcohol Policy at Eastern Washington University and WAC 172-65, Use of Alcoholic Beverages by Student Twenty-One Years and Older in Resident Halls and Other Student Housing at EWU. Any

authorized use of alcohol must comply with state and federal laws, and all university policies, rules and regulations. Specifically, possession or consumption of alcohol by persons under the age of 21 is not permitted on campus. Selling or furnishing alcoholic beverages to persons under the age of 21 is also not permitted on campus. University alcohol policies and guidelines must be met before any alcohol-related event may be permitted. No kegs or “keg-quantities” of alcohol are allowed in the residence halls. Minor in possession of alcohol is a misdemeanor offense; if convicted, it may have a negative effect on certain educational and job requirements or opportunities. Further information about the alcohol policy at EWU is contained in WAC 172-64, as well as EWU Policy 602-01 (Drug and Alcohol Abuse Prevention) and WAC 172-65, Use of Alcoholic Beverages by Student Twenty-One Years and Older in Resident Halls and Other Student Housing at EWU. University rules and policies are available at <https://inside.ewu.edu/policies/>. The state’s criminal law regarding alcohol is RCW 66.44.270.

## Drug Policies

### *Drug-Free Zone*

The possession, use or distribution of any illegal or controlled substance is prohibited by federal law. In compliance with federal Safe and Drug-Free Schools and Communities Act (20 USC 1145g) and the Drug Free Work Place Act of 1988, Eastern Washington University is a Drug-Free Zone. It is prohibited while on any university-owned or controlled property, including within residence halls, while conducting university business, or during any university-sponsored activity, for any person to use, possess, distribute, manufacture, sell, or to be under the influence of a controlled substance. Please note: Marijuana remains illegal under federal laws and policies regarding marijuana at EWU remain unchanged. The University follows the Safe and Drug Free Schools and Community Act. It is illegal to possess, produce, distribute or use marijuana on EWU property or during school-sanctioned events. Exceptions to this prohibition may be permitted for prescription and over the counter medications.

The following is a partial list of illicit drugs considered to be controlled substances by the State of Washington (RCW 69.50): Narcotics (opium and cocaine, including all drugs extracted, derived, or synthesized from opium and cocaine, including crack cocaine and heroin); methamphetamine; barbiturates; and hallucinogenic substances (LSD, peyote, mescaline,

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psilocybin, PCP, THC, MDA, STP).

A. State Penalties for Illegal Sale of Controlled Substances

The illegal sale of any controlled substance is punishable by up to five years in prison, \$10,000 fine, or both.

B. State Penalties for Illegal Manufacture or Delivery of Controlled Substances

Narcotics: up to ten years in prison, \$25,000-\$100,000 fine, or both. Non-narcotics: up to five years in prison, \$10,000 fine, or both.

C. State Penalties for Possession of Controlled Substances

Possession of any controlled substance is punishable by up to 90 days in jail, a \$1,000 fine, or both. More severe penalties are provided for persons convicted of providing controlled substances to minors and for repeat offenses.

As regulated in Title 21, USC, Section 860: Distribution, possession with the intent of distribution, or manufacture of a controlled substance in, or within 1,000 feet of the real property comprising Eastern Washington University, is subject to additional penalties as defined in that code.

EWU upholds all state and federal laws pertaining to alcohol and controlled substances. EWU will take action against any person who violates state law, federal law or any university regulation or policy concerning alcohol or controlled substances when such violation:

1. Occurs in or on property controlled or owned by EWU;
2. Involves university business or activities; or
3. Affects the fitness of university employees to perform the duties of their job or position.

# Firearms and Weapons Policies

Weapons, including concealed weapons, are not allowed on campus per WAC 172-122-120.

Possession, carrying, discharge, or other use of any weapon is prohibited on property owned or controlled by Eastern Washington University, with the following exceptions:

- Commissioned law enforcement officers may carry weapons, which have been issued by their respective law enforcement agencies, while on campus or other university-controlled property, including residence halls. Law enforcement officers must notify the EWUPD of their presence on campus upon arrival.
- A person may possess a personal protection spray device as authorized by RCW 9.91.160 while on property owned or controlled by EWU.
- A person may bring a weapon onto campus for display or demonstration purposes directly related to a class or other educational activity, if they obtain prior authorization from the university police department.
- Weapons that are owned by the institution for use in organized recreational activities or by special groups, such as EWU ROTC or university sponsored clubs or teams, must be stored in a location approved by the university police department. These weapons must be checked out by the advisor or coach and are to be used only in organized recreational activities or by legitimate members of the club or team in the normal course of the club or team's related activity.

Examples of weapons under this section include, but are not limited to: explosives, chemical weapons, shotguns, rifles, pistols, air guns, BB guns, pellet guns, longbows, hunting bows, throwing weapons, stun guns, electroshock weapons, and any item that can be used as an object of intimidation and/or threat, such as replica or look-a-like weapons.

# Emergency Response and Evacuation Procedures

The University's Comprehensive Emergency Management Plan (CEMP) details emergency procedures and evacuation of the campus. The CEMP addresses a broad range of guidelines specific to a critical incident. University departments are responsible for developing contingency plans and continuity plans for their staff and areas of responsibilities. The University emergency response and evacuation procedures are available at <https://inside.ewu.edu/police/emergency-response-procedures/>. The university also distributes emergency response flipcharts to employees, and provides emergency response training specific to each building.

The University conducts at least one emergency response exercise each year, such as tabletop exercises, field exercises, and tests of the emergency notification system. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. Training exercise details are sent to the campus community each year, along with information on the University's emergency response and evacuation procedures. EWUPD maintains documentation of each emergency response exercise, including the date, time, description of the exercise, and whether the exercise was announced or unannounced. EWU Police Officers have

received training in Incident Command and Responding to Critical Incidents on campus. The Incident Command System (ICS) and Unified Command System (UCS) are utilized when responding to incidents and EWUPD Officers work with neighboring agencies



that include Cheney PD, Spokane County Sheriff's Office, Washington State Patrol and local fire departments such as Cheney Fire Department.

#### **Notification to EWU Community about an Immediate Threat**

The 'EWU Alerts' Campus Emergency Mass Notification System is a service provided by EWU to employees, students and other campus community members as a method of communicating information about an immediate threat. Anyone may subscribe to the service through the EWU Alerts web page at <https://ewu.omnilert.net/subscriber.php>.

The President, Director of Public Safety or designee will decide whether a situation is an emergency and poses an immediate threat to the health or safety of the EWU community. Examples of a significant emergency include, but are not limited to, an approaching wildfire, fire in a building, an outbreak of a serious contagious illness, extreme weather conditions, earthquake, gas leak, terrorist incident, armed intruder, bomb threat, rioting, explosion, or hazardous waste spill. The Director (or designee) will send an emergency notification via numerous media applications, without delay, and taking into account the safety of the community, unless issuing a notification would compromise efforts to contain the emergency, assist a victim, respond to, or otherwise mitigate the emergency.

The Director of Public Safety will create and disseminate the emergency message using available information on a case-by-case basis, and will generate the alerts, blast emails and @EWUPolice tweets, or direct other personnel such as the Public Information Officer, Lieutenant, or Administrative Assistant to do so. Updates will be posted on the above-mentioned media outlets to ensure current information is provided to the community. When the emergency is no longer a threat to the health and safety of the EWU community, the Director of Public Safety will notify the community utilizing the various media outlets listed above. Because many of our students, faculty and staff commute between our campuses, all segments of our campus community will be notified when any significant emergency threatens the operation of the campus or poses an immediate threat to health or safety.

## Evacuation

The need to evacuate and move a group of people may range from a single building to the entire campus, or even the entire surrounding community. The pace of evacuation will be dictated by the type of incident. The evacuation process includes notification, instructions, assembly points, methods of transportation, and destinations. Building evacuation procedures are as follows:

1. All staff and students should:
    - Understand the evacuation plan;
    - Follow evacuation instructions; and
    - Know at least two ways out of the building from your regular workspace, classrooms or living quarters, and practice using those exits.
  2. When you hear a fire alarm or are told to evacuate the building:
    - Remain calm, leave quickly;
    - Building captains present in each department shall be responsible for ensuring that all members of their department evacuate the area;
    - Resident Life Coordinators are responsible for ensuring that the residence halls are evacuated;
    - Every employee should check that all others in their work area are leaving as instructed and accompany or assist disabled persons and any co-worker who appears to need direction or assistance;
    - Report any person who is unwilling or unable to evacuate to emergency responders;
    - If you are at your workstation, take personal items such as car keys, purse, briefcase and coat. Do not attempt to take large or heavy objects or attempt to save possessions at the risk of personal injury;
    - Close all doors behind you as you go. Closed doors can slow the spread of fire, smoke and water;
    - Do not use elevators, but proceed to stairways as quickly as possible and in an orderly manner; and
    - Stay to the right and hold handrails when walking on stairs. Make way for emergency personnel.
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3. Once out of the building, move away from the structure and go to the appropriate assembly area.
4. Wait for further instructions. Do not re-enter the building until cleared to do so by emergency personnel.

In most cases, the President or their designee must approve any significant evacuation. However, in an extreme emergency, any University official or police officer can evacuate a building. The Incident Commander will issue the order and implement the evacuation plan.

Warning and evacuation instructions will be communicated to the campus population via any or all of the following: emergency text messaging and emails, EWU Police Department Twitter feed, campus wide emergency notification on university network system, PA systems on patrol vehicles, and other local media outlets. Information may include the nature of the threat, time allotted for the requested action, instructions to shelter in place and await further direction, instructions to move to a designated assembly area, leave the campus in personal transportation and take someone with you, or assemble at a public transportation pickup point.



# Annual Fire Safety Report/Fire Statistics

EWU Policy 603-03 – Fire Safety (<https://inside.ewu.edu/policies/knowledge-base/ewu-603-03-fire-safety/>) contains information related to fire safety on the campuses and surrounding areas of Eastern Washington University. EWU promotes fire safety in a variety of ways including both formal training sessions and through dissemination of fire safety information to students and employees. The focus of training and education efforts is first to prevent fires by emphasizing personal diligence and individual responsibility. The second goal is to prepare students and employees to respond quickly and effectively in the event of a fire or suspected fire. Training programs are sponsored by various campus organizations throughout the year. The Vice President for Business and Finance has overall responsibility for coordinating related training and programs for students, faculty, and staff.

In compliance with provisions of federal law, Eastern Washington University is required to make reports available to the campus community and to prospective students and their parents pertaining to fire safety. Institutions maintaining on-campus student housing facilities must collect fire statistics and publish an annual fire safety report, and keep a fire log available for review. The fire safety report includes information about fires that occur in residential facilities, including the number of fires and the cause of each fire, the number of injuries and/or deaths related to a fire, and the value of property damage caused by a fire. The Daily Crime and Fire Log is available for public inspection at the Red Barn during regular business hours, and online at <https://inside.ewu.edu/police/crime-data/daily-crime-log/>.



## Fires in Student Housing Facilities on Campus

For Clery purposes, a fire is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. In 2018, two fires in on-campus student housing facilities were reported. One fire occurred on 6/26/2018 in snyamncut Hall, in a first floor RLC apartment, and was caused by boxes and items placed on the stove. The value of property damage was between \$100 - \$999, and there were no injuries or deaths. The second fire occurred in Brewster Hall on 11/6/2018 in the third floor kitchen area. Cheney Fire Department investigated and advised that the cause of the fire was unknown. There were no injuries or deaths, and the value of property damage was between \$0- \$99. In 2019, there was one fire reported in on campus student housing facilities. The fire occurred on July 8, 2019 in Anna Maria Apartments, when a unit charging lithium batteries caught on fire. A resident was treated for possible inhalation of fumes (the victim did not require hospitalization), and the property damage was valued at \$0 - \$99. In 2020, there was one fire reported in on campus student housing. The fire occurred on May 26, 2020 in Dressler Hall, and started in a mechanical box that controls an elevator, burning wires in the box. The value of property damage was between \$100 - \$999, and there were no injuries or deaths.

### FIRES IN STUDENT HOUSING FACILITIES ON CAMPUS

On-Campus Housing Facility	Street Address	2020	2019	2018
Anna Maria Apartments	922 Washington St	0	1	0
Brewster Hall	404 2 <sup>nd</sup> St	0	0	1
Dressler Hall	1128 Elm St	1	0	0
Dryden Hall	106 N 9 <sup>th</sup> St	0	0	0
Holter House	625 G St	N/A	N/A	0
Louise Anderson Hall	905 Elm St	0	0	0
Morrison Hall	218 N 10 <sup>th</sup> St	0	0	0
Pearce Hall	1112 Elm St	0	0	0
snyamncut Hall	1027 Cedar St	0	0	1
Streeter Hall	202 N 10 <sup>th</sup> St	0	0	0
Townhouse Apartments	620 W 7 <sup>th</sup> St	0	0	0

## Fire Drills Held

Mandatory, supervised fire drills are conducted annually at the beginning of the school year in the residence halls. The organized fire drills are to familiarize each resident with the safe and

proper exiting procedure and route to evacuate the building promptly. All occupants must leave the building. Anyone not exiting will be referred for disciplinary action.

In Fall of 2018, 2019 and 2020, pre-planned fire drills were conducted by Cheney Fire Department and Housing and Residential Life. There were no academic students assigned to Dryden Hall in 2018, 2019, or 2020, so no fire drills were held in Dryden those years. Because of COVID-19, the number of students living on campus in 2020 was significantly reduced, and fire drills were only held in Brewster, Pearce, Snyamncut and Louise Anderson halls. Holter House was demolished in 2018, and will not be included in future reports.



### FIRE DRILLS CONDUCTED IN ON-CAMPUS RESIDENCE HALLS

On-Campus Housing Facility	Street Address	2020	2019	2018
Anna Maria Apartments	922 Washington St	0	0	0
Brewster Hall	404 2 <sup>nd</sup> St	1	1	1
Dressler Hall	1128 Elm St	0	3	1
Dryden Hall	106 N 9 <sup>th</sup> St	0	0	0
Holter House	625 G St	N/A	N/A	N/A
Louise Anderson Hall	905 Elm St	1	1	1
Morrison Hall	218 N 10 <sup>th</sup> St	0	3	1
Pearce Hall	1112 Elm St	1	3	1
snyamncut Hall	1027 Cedar St	1	1	1
Streeter Hall	202 N 10 <sup>th</sup> St	0	2	1
Townhouse Apartments	620 W 7 <sup>th</sup> St	0	0	0

## Fire Policies

Students living on campus are expected to comply with EWU's Housing and Residential Life Living Guide, which includes policy pertaining to fire safety as described below:

### *Fire Equipment and Hazards*

Fire extinguishers are strategically located throughout each residence hall. Carefully follow the instructions on the extinguisher and use them only if you have been properly trained.

Hallways and exits must be kept free of furniture or other objects such as floor rugs. Fire doors are not to be blocked open for any reason. They are designed to prevent the spread of smoke and flames in case of fire. Decorative materials for general use or holiday decoration should be nonflammable. Do not cover hallway light fixtures and fire exit signs. Students must not tamper with the fire alarm and suppression system including but not limited to covering or disconnecting detectors, and theft of a fire extinguisher will be charged according to the University Fee Schedule.

Do not leave stoves unattended while cooking. Remember to turn off the stove and unplug irons before leaving the kitchen and laundry rooms. Barbecuing is not allowed on the balconies. University policy prohibits the use of candles, incense, simmering potpourri, solid fuel devices, kerosene lamps, open burning elements (tabletop stoves), and other open flame devices. Decorative candles and lamps that reach very high temperatures and can ignite nearby combustible materials are also not allowed.

### *Smoking*

Smoking, including e-cigarettes, is not allowed in any of the residence halls, including and not limited to the balconies, hallways, bathrooms, stairwells and other areas defined by staff. In addition, in accordance with University policy and state law, individuals must be at least 25 feet from the building when smoking. Designated smoking areas have been assigned for each building.

### *Hover boards/Self-Balancing Scooters*

Due to reports of unexpected and spontaneous fires caused by hover board batteries, these devices are not allowed in any residence hall. For more information, please refer to EWAC 172-118 – Recreational Equipment. <https://inside.ewu.edu/policies/knowledge-base/chapter-172-118-wac-recreational-equipment/>

### *Fire Alarms and Drills*

Fire drills are conducted to familiarize each resident with the safe and proper exiting procedure and route to evacuate the building promptly. All occupants must leave the building and follow these instructions:

- Wear a coat and shoes.
- Leave lights on.
- Close the window.
- Take your keys.
- Close and lock the door.
- Exit by emergency stairway only. If you encounter smoke, stay low. Oxygen is near the floor.
- Do not use the elevator.
- Go to the specified evacuation area (details are provided at the first residence hall meeting).
- Do not re-enter the building until you are directed to do so by a public safety official or staff member.

Because fire alarms need to be taken seriously, it is important for your safety that everyone leaves the building during an alarm. Students that do not leave the building during a fire alarm may receive a citation resulting in a fee from the fire department. If you have any questions about the fire drill procedure, consult with your Hall Staff.

### **General Procedures in the Case of a Fire**

If you observe fire or smoke:

- From a safe distance, determine the location of the fire and what may be burning.
- Call 911. Provide your name and the location of the fire. If in a safe location, stay on the

line with the dispatcher until told you may hang up.

- If you hear the evacuation alarm, proceed to the appropriate assembly area.
- If the fire is small, you may attempt to put it out with a fire extinguisher if you have been properly trained. Do not jeopardize your personal safety. All fires, not matter how small, must be reported to the EWU Police at 509.359-7676.
- Evacuate your area if you are unable to put out the fire. Close doors behind you to confine the fire. Proceed to the appropriate assembly area.
- Know alternate exits from your hall area. Never allow the fire to come between you and the exit.
- Before opening a door, use the back of your hand to feel the top of the door, the doorknob, and the crack between the door and doorframe. If it feels hot, use your secondary escape route. Even if the door feels cool, open it carefully. If the door is hot or if smoke is visible, do not open the door. If you have to move through a burning or smoke filled area, stay low to the ground or crawl. Use a damp cloth to breathe through if it is available.
- Do not break a window unless it is the ONLY means of escape. Oxygen feeds a fire.
- If you are in a room and cannot escape, leave the door closed, stay low to the floor and hang a white or light colored cloth in an outside window.
- Do not use elevators.
- Do not attempt to save possessions at the risk of personal injury.
- Do not return to the area until instructed to do so by a Public Safety official.

Persons using wheelchairs should move to areas of refuge if available. If these are not available, they should shelter in place unless the danger is imminent. Shelter in place means remaining in a room with an exterior window, a telephone and a solid or fire resistant door; call 911 and report the location.

For false or needless alarms or an isolated or contained fire, a person with a disability may not need to evacuate. The decision to evacuate will be made by the fire department. The fire department will tell the individual or relay the information via the EWU Police Department.

## **Reporting Fires**

All fires or suspected fires must be reported to the EWU Police Department. This can be done by calling 911 in the event of a fire, or calling 509.359.7676 to report a fire that occurred previously. In addition to the EWU Police Department, fires may also be reported to the on-call RLC's, Chief Housing Officer, Dean of Students, apartment managers, or Vice President for Business and Finance.

## **Fire Safety Education and Training Programs**

During orientations, new students and new employees receive presentations on fire safety and prevention. These presentations cover a variety of topics, including personal safety, fire prevention, and emergency response. The Vice President for Business and Finance also coordinates additional fire safety awareness sessions as needed and provides special training sessions upon request. In addition to training and awareness sessions, fire safety information is also provided to students and employees through fire safety awareness handouts, posters, displays, videos, and other media.

## **Fire Safety Systems**

All EST3 Signature Fire Alarm Systems are networked through the campus Fireworks Life Safety system and monitored 24 hours a day by a central station provider. The University takes the welfare of its students very seriously and wherever possible the best fire and life safety systems are implemented. As EWU moves forward, systems are installed that meet and exceed current code requirements. The university standards are constantly being raised and with each new construction project, the welfare of our populace is improved.

## Fire Safety Systems

On-Campus Housing Facility	Street Address	Fire Alarm Systems	Detectors	Sprinkler Systems	Other
Anna Maria Apartments	922 Washington St	No	Yes	No	N/A
Brewster Hall	404 2 <sup>nd</sup> St	Yes	Yes	Yes	N/A
Dressler Hall	1128 Elm St	Yes (with audio)	Yes	Yes (mechanical room only)	N/A
Dryden Hall	106 N 9 <sup>th</sup> St	Yes (with audio)	Yes	Yes (mechanical rooms only)	N/A
Louise Anderson Hall	905 Elm St	Yes (common areas)	Yes (sleeping rooms)	No	N/A
Morrison Hall	218 N 10 <sup>th</sup> St	Yes (with audio)	Yes	Yes (mechanical rooms only)	N/A
Pearce Hall	1112 Elm St	Yes (with audio)	Yes	Yes (mechanical rooms only)	N/A
snymncut Hall	1027 Cedar St	Yes (with audio)	Yes	Yes	N/A
Streeter Hall	202 N 10 <sup>th</sup> St	Yes (with audio)	Yes	Yes (mechanical rooms only)	N/A
Townhouse Apartments	620 W 7 <sup>th</sup> St	No	Yes	Yes (sleeping rooms)	N/A

# Additional Resources and Phone Numbers

## Notes and Additional Recommended Resources

- Residential Living Guide; [https://cdn.ewu.edu/housing/wp-content/uploads/sites/13/2020/09/2020\\_2021-Living-Guide-w-Apartments.pdf](https://cdn.ewu.edu/housing/wp-content/uploads/sites/13/2020/09/2020_2021-Living-Guide-w-Apartments.pdf)  
Residential Life, 104 snyamncut Hall.
- Alcohol, Drugs, and the University Campus; EWU Substance Abuse Prevention Center, URC.
- The Handbook for Campus Crime Reporting:  
<http://www2.ed.gov/admins/lead/safety/handbook.pdf>
- Information regarding the Employee Assistant Program (EAP) is available for EWU staff that needs assistance with personal or work-related problems. Check the EWU website for EAP contact information or contact Human, Resources, Rights, and Risk at 509.359.2381.

<b>Emergency</b> .....	<b>911</b>
EWU Police Services (non-emergency) .....	509.359-7676
EWU Police Business Office/Lost and Found .....	509.359.6498
EWU Anonymous Tip Line.....	509.359.4286
Cheney Police Department (Cheney, off-campus, police services) .....	509.535.9233
Spokane Crime Check.....	509.456.2233
Spokane 24-hour Rape Crisis Line.....	509.624.7273
YWCA DV 24-hour hotline .....	509.326.2255
LCS Northwest Sexual Assault Crisis Line (24/7).....	509.624.7273
First Call for Help-Suicidal (24/7) – Frontier Behavioral Help.....	1.877.266.1818
EWU Dean of Students Office .....	509.359.7924
Counseling & Wellness Services .....	509.359.2366
EWU Title IX Coordinator .....	509.359.6724
Washington Poison Center (toll-free) .....	800.222-1222