

PENINSULA COLLEGE

# Annual Security & Fire Safety Report (ASFSR) 2024 – 2025

Containing information from year 2023

In compliance with the Jeanne Clery Disclosure Act of Campus Security and Campus Crime Statistics Act and Violence Against Women Act.

Reporting Calendar Years 2023



**Peninsula College  
Main Campus**

1502 East Lauridsen Blvd  
Port Angeles, WA 98362  
(360) 452-9277



**Peninsula College  
Forks Campus**

481 South Forks Ave  
Forks, WA 98331  
(360) 374-3223



**Peninsula College  
Port Townsend Campus**

202 Eisenhower Ave  
Port Townsend, WA 98368  
(360) 385-4605



## President's Letter

Creating a safe, welcoming space for everyone in our campus community is among our highest priorities at Peninsula College.

We are proactive in our efforts to keep students, faculty, and staff safe from possible threats on and around campus. Campus Safety has primary jurisdiction on our 72-acre Port Angeles campus, but also helps with Safety and Security as needed with our Port Townsend and Forks locations. All told, this includes a population of 1,773 students and more than 413 staff.

I invite employees to review this Annual Security & Fire Safety Report carefully. It provides information about what PC is doing to keep our campuses safe, including efforts to prevent gender-based and partner violence, as well as issues related to substance abuse. It also provides our annual crime statistics.

We are working to initiate new programs designed to keep everyone informed, aware, and active in the safety and security of our campus community. We are also creating training programs to teach personal safety methods and techniques that may be helpful in the event of an emergency on or off campus.

Employees & students play a critical role in creating a safe environment for everyone on campus. If there are any questions or concerns regarding safety or security on any of our campuses, please contact Campus Safety Services at (360) 417-6559.

Thank you for your efforts to keep Peninsula College a safe place to learn and work.

Sincerely,

A handwritten signature in black ink that reads "Suzy Ames". The signature is written in a cursive, flowing style.

Dr. Suzy Ames  
President, Peninsula College

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## About Peninsula College

Peninsula College was founded in 1961 because a group of local citizens wanted to be able to continue their education without having to travel great distances to college centers in Bremerton or across Puget Sound. The first classes were held in a small building on the Port Angeles High School campus, but the number of students who enrolled in the college quickly became more than the available facilities could accommodate, and plans were soon underway to build a permanent campus elsewhere in the city.



Construction of the new campus began in 1964, and a year later the first classes were held on the present site of Peninsula College with additional classes being offered across our district. Today, the main campus spreads out over 75 acres of land in the foothills of the Olympic Mountains, overlooking the city of Port Angeles and its busy, international harbor.

Peninsula College (PC) is now one of 34 Community and Technical Colleges in Washington State and is the only institute of higher education on the North Olympic Peninsula, serving 102,000 residents and six sovereign tribal nations. The main campus is in Port Angeles with extension sites in Forks, 57 miles west, and in Port Townsend, 46 miles to the east. PC offers a variety of academic and skilled trades programs as well as community, non-credit education. Using data from 2023-2024, enrollment in Peninsula College included 52 percent women, 28 percent students of color, and 24 percent historically underserved.

The mission of PC is to educate diverse populations of learners through community-engaged programs and services that advance student equity and success. We do this by expanding and leveraging community partnerships and by anticipating and responding to learning needs in high-growth fields. PC offers degrees in arts and sciences transfer, professional technical education, Bachelor of Applied Science, and both short-term and long-term certificate programs. Peninsula College also has an associate in nursing direct transfer agreement/major related program (DTA/MRP) degree that leads to becoming a registered nurse and facilitates entering senior-level Bachelor of Science in nursing courses at transfer institutions. PC is adding several other bachelor's programs. Areas of study include:

- Arts & Communication
- Business Management
- Healthcare
- Information Technology
- Math & Science
- Skilled Trades
- Social Sciences & Education

**Peninsula College at Port Townsend** is in the beautiful park setting of historic Fort Worden State Park. Our award-winning small campus and caring staff can help students work toward their academic goals. Onsite classes as well as online courses make it possible for East Jefferson County residents to fulfill the requirements for a Peninsula College two-year degree, one-year certificate, or short-term certificates. Classes and support are also offered for

Transitional Studies for students seeking high school completion, GED, running start, college brush up and ELA (English Language Acquisition) as well as a variety of non-credit Community Education classes.

**Peninsula College at Forks** is in the heart of the Olympic Peninsula in central Forks, Washington. The site offers academic, professional, and technical, transitional studies (high school completion, running start, college brush up and GED) and English Language Acquisition (ELA) classes and support, as well as a full range of student services. A learning center is staffed to provide academic or technical support to students enrolled in on-line or face-to-face classes.



## What is the Clery Act?

The Jeanne Clery Disclosure Act of Campus Security and Campus Crime Statistics Act passed in 1998 by the Federal Government (formerly the Crime Awareness and Campus Security Act of 1990).

This law requires that universities and colleges receiving Title IV student financial aid programs disclose reported instances of criminal activities on or near the institution's owned or leased campuses and provide information about security policies, procedures, and programs. To comply with the Clery Act, every institution must:

- A. Collect, classify, and count crime reports and crime statistics.
- B. Issue campus alerts. To provide the campus community with information necessary to make informed decisions about their health and safety, PC must:
  - i. Issue a timely warning for any Clery Act crime that represents an ongoing threat to the safety of students or employees.
  - ii. Issue an emergency notification upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.
  - iii. Publish an annual security report containing safety and security related policy statements and crime statistics and distribute it to all current students and employees. Schools also must inform prospective students and employees about the availability of the report. This report includes data from two years prior to the most recent year. *This report provides data from the calendar years 2021, 2022 and 2023.*
- C. Submit crime statistics to the U.S. Department of Education. Each year in the fall we must participate in a Web-based data collection to disclose crime statistics by type, location, and year. This collection is headed by the Director of Emergency Management and Campus Public Safety.



## Clery Act - Geography

The Clery Act Geography discloses crime and other statistics which occur in four geographic areas owned or controlled by an institution. This concept is referred to as Clery Geography and is as follows:

- A. On-campus: Reportable Area. Any buildings or property that are owned or controlled by the College, reasonably contiguous to one another and directly support or relate to the College's educational purpose. "Sidewalk – Street – Sidewalk." This means that a reportable crime occurring on the sidewalk on either side of a perimeter street is reportable, as are incidents occurring in the street.
- B. On-campus student housing: Housing within 1 mile of campus is considered on-campus student housing.
- C. Public property within campus and immediately adjacent to the campus.
- D. Non-Campus buildings and property (other than a branch campus) owned or controlled by the College that are used for educational purposes and frequently used by students but not a part of the core campus, or those owned or controlled by a student organization officially recognized by the College.

## Other Clery Act - Requirements

The Clery Act has many other requirements which include, but are not limited to:

- Developing policies and procedures regarding crime prevention, missing students, drug, and alcohol use, reporting, and preventing sexual assaults, and issuing emergency notifications.
- Providing awareness and prevention resources for students and employees regarding dating violence, domestic violence, sexual assault, and stalking.
- Maintaining a public Daily Crime Log of all reports of crimes made to campus safety services.
- Submitting crime and fire statistics to the U.S. Department of Education.

## Annual Clery Report

Before October 1 of each year, Peninsula College compiles a report of crime statistics and College policies, procedures and programs related to campus safety and security issues, as required by the Jeanne Clery Disclosure Act. The information in this document is designed as a resource to help answer questions about crimes occurring on the Peninsula College Campus or any of its satellite locations related to concerns of a personal safety nature.

In preparing its annual disclosure of crime statistics, it is the Peninsula College policy to collect information reported directly to Local Law enforcement in Clallam and Jefferson counties, where most Peninsula College programs and campuses reside. Also, to solicit information about crimes from other campus officials with responsibility for student and campus activities, including representatives from Student Life, Athletics, Student Development, Enrollment Services, Residential Life (Collegiate Housing International), Medical Assistant and Nursing Programs, the Student Conduct Officer, the Vice President of Student Services, and the Vice President for Human Resources and Diversity, Equity, & Inclusion.

# Report Preparation and Distribution



Peninsula College's Campus Safety and Emergency Management Department (PCCSEM) prepares this Annual Security and Fire Safety Report (ASFSR) in consultation with other key campus departments, in cooperation with the local law enforcement agencies surrounding our campuses. Campus crime, arrest and referral statistics include those reported to PCCSEM, Security Authorities (including but not limited to directors, deans, department heads, designated staff, advisors to students/student organizations, athletic coaches), and local law enforcement agencies. Statistical data is submitted to the U.S. Department of Education as one college listing data for every location where the College operates education programs and activities.

Fire safety regulations apply only to institutions with on-campus student housing facilities. Collegiate Housing International (CHI) is within 1 mile of the Peninsula College

Port Angeles site; this housing is considered on-campus housing for Peninsula College Clery reporting. The Federal government requires all eligible Title IV institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The data includes the number, cause, related injuries and deaths, and the property damage associated with each fire, and to report this to the Department of Education on an annual basis.

Statistics in this report are obtained from the incident reports of the Peninsula College Campus Safety Services, law enforcement agencies in the jurisdiction of which the campus property/non-campus property resides, as well as information from other campus officials identified as Campus Security Authorities (CSAs).

For statistical purposes, crime and fire statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all Campus Security Authorities.

All statistics are gathered, compiled, and reported to the College community via this report, which is published by the Peninsula College Campus Safety Services. The PC Campus Safety Services submits the annual crime statistics published in this report to the U.S. Department of Education (ED). The statistical information gathered by the U.S. Department of Education is available to the public through the ED website. The statistical information is available on page 34.

## Distribution of the Annual Security & Fire Safety Report (ASFSR)

As required by the Clery Act, PC provides a Notice of the Availability of the Annual Security & Fire Safety Report with a direct link to the URL for the document, via email, and canvas to all current students and employees on or before October 1 annually.

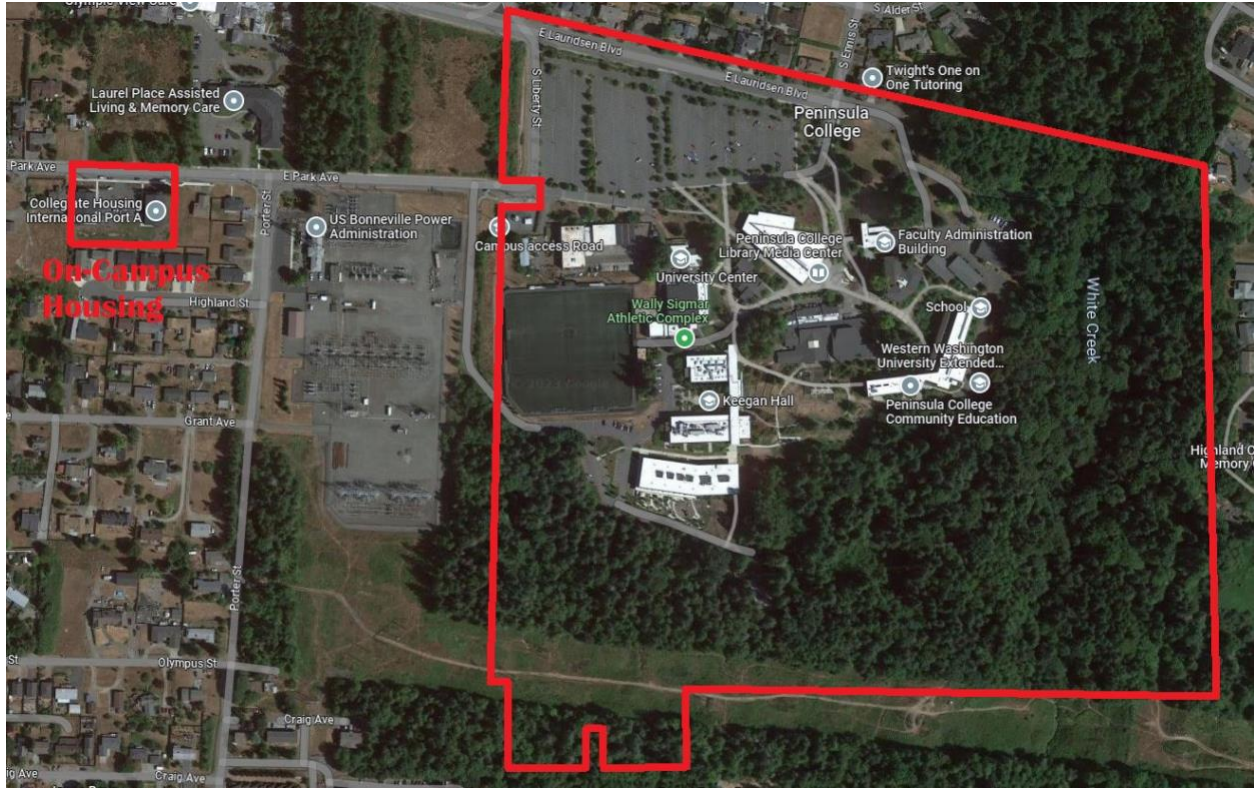
PC provides prospective students with the Notice of the Availability of the Annual Security & Fire Safety Report on admissions websites and prospective employees are advised on PC employment related websites and on job announcements.

Campus Security Authorities (CSA) include, but are not limited to: faculty/staff advisors to registered student organizations, coaches for Intercollegiate Athletics and Intramural Sports, Manager of On-Campus Housing and/or staff who directly monitor student residences (Collegiate Housing International), Deans, Directors, Managers, Vice Presidents, International Programs staff, Title IX Officers and Investigators, Human Resources Staff, Professional/Technical programs faculty/staff, summer program staff, and Campus Safety Staff.

The Campus Safety Services office is in the central part of campus, in the Pirate Union Building (PUB), office J-25. Campus Safety Services is available by calling (360) 417-6559 or emailing [campussafety@pencol.edu](mailto:campussafety@pencol.edu).

# Clery Reporting Jurisdiction/Geography

Peninsula College Main Campus, 1502 East Lauridsen Boulevard, Port Angeles, WA





## Collegiate Housing International (On-Campus Housing)

1134 East Park Ave, Port Angeles, WA

Collegiate Housing International (CHI) is a privately owned and controlled property. Incidents that occur at CHI should promptly be reported to 911.

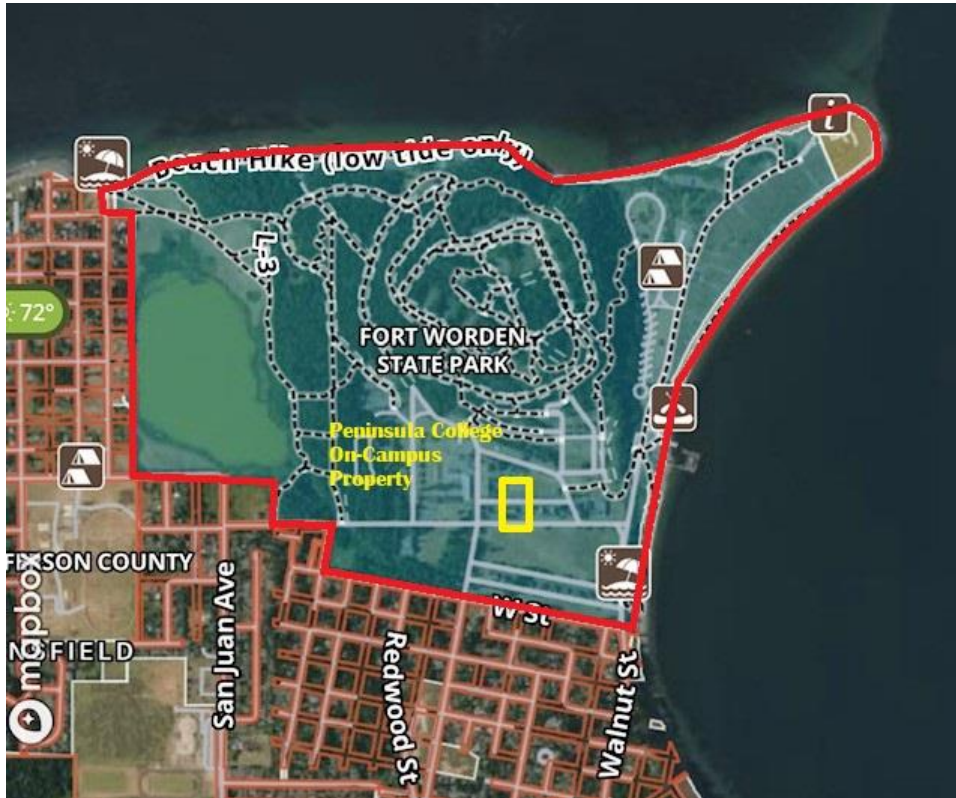


**Peninsula College Forks Campus**  
481 South Forks Avenue, Forks, WA





**Peninsula College Port Townsend Campus**  
202 Eisenhower Avenue, Port Townsend, WA



# Clery Crimes



In the case of liquor, drug, and weapon offences the numbers are tallied in two groups. The first set of numbers is for those individuals who are arrested and the second is for those who received College disciplinary sanctions alone. This is not a distinction between breaking the law and not breaking the law, the numbers in both groups are the result of a likely violation of the law. It is an attempt to reflect the actual impact of liquor, drug and weapon violations occurring in the campus community even when the incident does not result in an arrest. A law enforcement official or the district attorney may choose not to prosecute an individual for one of these



offenses because there is insufficient evidence to reach a conviction or for other reasons, but the College may still sanction the individual for the conduct. The standard for being found liable or responsible in a civil proceeding is less than what is required for a conviction in a criminal proceeding.

The following statistics are collected and reported as a bias/hate crime: the Clery-reportable crimes described in the section above, as well as larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, and other crimes involving bodily injury to any person, where the victim was intentionally selected because of their actual or perceived race, color, religion, sexual orientation, gender, gender identity, ethnicity, national origin and/or disability.

The statistics are compiled using the definitions in the FBI's Uniform Crime Reporting (UCR) system and modifications made pursuant to the Hate Crime Statistics Act.

## Clery Crime Definitions

- **Homicide murder and non-negligent manslaughter** is the willful killing of one human being by another.
- **Negligent manslaughter** is the killing of another person by gross negligence.
- **Sex offenses** are any sexual acts directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. There are four types of forcible sex offenses:
  1. Forcible Rape
  2. Fondling
  3. Incest
  4. Statutory Rape
- **Robbery** is the taking or attempt to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated assault** is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.
- **Burglary or Larceny (from a Building)** – is the unlawful entry of a structure to commit a felony or a theft.
- **Motor vehicle theft** is the theft or attempted theft of a motor vehicle.
- **Arson** is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- **Liquor, drug, and weapon law offenses** are any violation of liquor, drug, or weapon laws. Driving Under the Influence (DUI) is not reportable because it is a driving crime and not a liquor crime unless the driver is also a minor or the means of intoxication is an illegal drug.
- **Hate crimes** are any of the aforementioned offenses, and any other crimes involving bodily injury reported to local police agencies or to a campus security authority that

manifests evidence that the victim was intentionally selected because of the perpetrator's bias. Categories of bias are:

1. Race
  2. Gender
  3. Gender Identity
  4. Religion
  5. Sexual Orientation
  6. Ethnicity/National Origin
  7. Disability
  8. Color
- **Larceny-Theft** is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
  - **Simple Assault** is the unlawful physical attack by one person on another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
  - **Intimidation** is unlawfully to place another person in reasonable fear of bodily harm through the use of threatening words and/or conduct, but without displaying a weapon or subjecting the victim to actual attack. Includes cyber-intimidation if victim is threatened on Clery geography.
  - **Destruction, damage, or vandalism of property** is 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 the property.
  - A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

## Excluded Crimes

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

- **Reported to the Proper Authorities.** Incidents must be reported to law enforcement or a person who, according to the Clery Act, is defined as a Campus Security Authority (CSA). A person designated as a CSA does not only mean a person employed by the Campus Safety department. The term is applied to any person who works for the College in a paid or volunteer status and has *significant responsibility for student activities*. If there is someone whom a student reasonably believes that they can report a crime to and expect that the matter will be addressed directly through your intervention or that you will contact law enforcement for a response, then they are a Campus Security Authority.
- **Listed Crimes.** The crime must be one of those listed in the Clery Act as a reportable crime. (See the list above.)

- **Reportable Area.** The crime must occur in one of the reportable areas. Every reportable crime occurring within the boundaries of campus is in the reportable area. The two remaining areas are a little more difficult to define. Perimeter streets are described in the following way: “Sidewalk – Street – Sidewalk.” This means that a reportable crime occurring on the sidewalk on either side of a perimeter street is reportable, as are incidents occurring in the street. But an incident occurring in a building (a privately owned store) on the distant side of a perimeter street would not be included. Unfortunately, most law enforcement agencies do not distinguish where a crime occurs with this degree of detail. Crimes are usually located by street and house numbers. With regards to Non-Campus Buildings, crimes occurring in those buildings or on the property of that location are reportable. Incidents occurring on the sidewalk or on streets in front of that building would not be included.
- **Made in Good Faith.** For an incident to be included there must be a determination that the report is made in good faith. Supporting evidence makes this determination easy, but such evidence is not always available. In such a case the credibility of the person making the report is considered. When the incident is reported to us through a law enforcement agency, we assume that this determination has already been made.
- **Unfounded.** If law enforcement determines that a particular reported incident could not have occurred or did not occur, i.e., a false report, the crime is not included in the annual report. Only law enforcement can rule a case “unfounded.”

## Hierarchy Rule

When we examine incidents to determine if they should be included in the annual report, a portion of the Clery Act called the Hierarchy Rule comes into effect. Occasionally, a person who is arrested may have committed more than a single offense. The Hierarchy Rule requires in this situation that we count the offense which is of the most serious nature and not count an offense of lesser significance. For example, if a person committed a burglary and a murder during a single act then only the murder would be counted. An exception to this rule exists for hate crimes. If a person commits any reportable offense and while doing this also commits a hate crime, then both incidents will be reported.

## About Campus Safety: Authority and Jurisdiction

**At the Port Angeles Campus:** The Campus Safety Services office is in the central part of campus, in the Pirate Union Building (PUB), office J-25. If it is an emergency, please call 911 first then notify Campus Safety is available by calling (360) 417-6559 or emailing [campussafety@pencol.edu](mailto:campussafety@pencol.edu).

*Please note that College Housing International (CHI) is an independently owned and operated facility. PC security does not have authority or jurisdiction over this property.*

**At the Forks Campus:** If it is an emergency, please call 911 first then notify the Director of the Forks Campus or the Campus Safety Services Office. If it is not an emergency, then notify the Director of the Forks campus or the Campus Safety Services Office to report the crime. Director: Rebecca Schwartz, [rschwartz@pencol.edu](mailto:rschwartz@pencol.edu) or (360) 374-3223 or Campus Safety Services office: [campussafety@pencol.edu](mailto:campussafety@pencol.edu) or (360) 417-6559.

**At the Port Townsend Campus:** If it is an emergency, please call 911 first then notify the Director of the Port Townsend campus or the Campus Safety Services Office. If it is not an

emergency, then notify the Director of the Port Townsend campus or the Campus Safety Services Office to report the crime. Director: Anna Forrestal, [afortrestal@pencol.edu](mailto:afortrestal@pencol.edu) or (360) 417-6317 Campus Safety Services office: [campussafety@pencol.edu](mailto:campussafety@pencol.edu) or (360) 417-6559.



Campus Safety Services has a non-commissioned security force who patrols the campus on motorized vehicles and on foot. Peninsula College Campus Safety Services role on Peninsula College property is to observe and report. Campus Safety Services utilize citizen arrest powers and are supported by the college in the enforcement of all college policies, rules, regulations, applicable state and federal laws, and all city and county ordinances on college property. Campus Safety Services have the authority to ask

persons for identification to ascertain if they are students, faculty, or staff and their purpose for visiting Peninsula College. Campus Safety personnel also have the authority to enforce parking regulations on Peninsula College owned parking lots (excluding Forks and Port Townsend sites).

The Peninsula College Main Campus Safety Services currently employs an average of two full-time employees within the department. Forks and Port Townsend do not have Campus Safety Services but instead partner with local law enforcement.

Campus Safety Services are not authorized to make arrests, and therefore maintain an active relationship with state and local law enforcement agencies. When the need arises, the college will contact the appropriate law enforcement agency for assistance.

On-campus property includes all buildings owned or leased to include land, structures, streets, roadways, parking facilities and lots used, leased, or rented for educational purposes. Peninsula College Campus Safety Services reports criminal activity on campus to local law enforcement agencies within their jurisdiction.

## How to Access the Annual Security Report?

The Annual Security Report is available on the Peninsula College Department of Campus Safety website at [Campus Crime Statistics | Peninsula College \(pencol.edu\)](#) (Appendix 1). The Annual Security Report is published as a PDF and can be viewed online and or printed using Adobe Acrobat Reader. A free, paper copy of the **Annual Security Report can be requested through any of the following means:**

1. A copy of the report can be obtained by emailing to [campussafety@pencol.edu](mailto:campussafety@pencol.edu)
2. By calling (360) 417-6559 and making a request for a paper copy;
3. Or by visiting the PC Campus Safety Services Office: Building J (Pirate Union Building – PUB) in office J25 - across from the bookstore, during business hours.

## How We Share the Report

We e-mail an announcement and link to the report to all enrolled students when the report is published. Faculty and staff receive similar notification through e-mail, the intranet, and by

communication directly with directors, managers, and supervisors. All prospective employees may obtain a copy from the Campus Safety Services Office, located in the J Building at the Port Angeles campus.

This report was created to educate students, staff, faculty, and visitors. Our goal is to publish an accurate and complete report for distribution to current and prospective students, faculty, and employees through various outlets:

1. **Online.** This report is posted on our website at [Campus Crime Statistics | Peninsula College \(pencol.edu\)](#) (Appendix 1).
2. **Email.** This report is emailed to all students (that have opted to receive notices) and employees that are currently in our system. This document is e-mailed out yearly. If a student or employee has opted out to receive PC e-mails, they can receive the documentation from the other avenues listed.
3. **Print.** A printed copy of this report is available by calling Campus Safety: (360) 417-6559, Student Services (360) 417-6340 or Human Resources: (360) 417-6298.
4. **Hard Copy:**
  - a. The Campus Safety Office is in the J Building at the main campus (Office J-25) of Peninsula College: 1502 East Lauridsen Blvd. Port Angeles, WA 98362. Phone number: (360) 417-6559.
  - b. The Human Resources Office – C40 is in C building of the main campus at Peninsula College, 1502 East Lauridsen Blvd. Port Angeles, WA 98362 - (360) 417-6298
    - i. **Forks Campus.** The Annual Security Report is published as a PDF and can be viewed online and or printed using Adobe Acrobat Reader. A free, paper copy of the Annual Security Report can be requested through the Director of the Forks campus during regular office hours.
    - ii. **Port Townsend Campus.** The Annual Security Report is published as a PDF and can be viewed online and or printed using Adobe Acrobat Reader. A free, paper copy of the Annual Security Report can be requested through the Director of the Port Townsend campus during regular office hours.

## Accurate and Prompt Reporting of Criminal Offenses

Peninsula College encourages the accurate and prompt reporting of all crimes to Local Law Enforcement and the Campus Safety Services when the victim of a crime elects to do so. Any member of the community who observes or has knowledge of a crime or other emergency is also encouraged to immediately and accurately report such action to Local Law Enforcement and campus safety if the victim is unable to make such a report. If the crime occurs outside of the jurisdiction, we encourage the victim to report the crime to the appropriate law enforcement agency responsible for that location. Criminal activity or emergencies can be reported by calling:

- Call Campus Safety Services at (360) 417-6559
- Call 911
- Submit a PC Cares Report at [PC Cares Report | Peninsula College Advocate System \(symplicity.com\)](#) (Appendix 2)

### Working Relationship with State and Local Law Enforcement Agencies

The Campus Safety Services has a working relationship with local law enforcement agencies at all campus locations (Port Angeles, Forks, and Port Townsend).

### Memorandum of Understanding

PC Campus Safety Services does not currently have a written memorandum of understanding with local law enforcement agencies relating to the investigation of criminal incidents. PC Campus Safety has both the responsibility and authority to conduct initial investigations, to actively participate in criminal investigations for crimes that occur on the College's owned, leased, or controlled properties and to coordinate investigations in partnership with local, state, and federal law enforcement agencies.

### Monitoring of Student Organizations at Off-Campus Locations

PC Campus Safety Services does not provide campus safety services to off-campus locations owned, managed, or otherwise controlled by student organizations at this time. Criminal activity occurring at off-campus locations would normally be reported to the local law enforcement agency with jurisdiction for the location.

### Recognized Student Organization

Peninsula College recognizes the student organization [Student Government \(ASC\) | Peninsula College \(pencol.edu\)](#). (Appendix 3)

### On-Campus Housing: Collegiate Housing International

Collegiate Housing International (CHI) is a privately owned and controlled property. CHI is located at 1134 & 1138 East Park Avenue, Port Angeles, WA 98362. Incidents that occur at CHI should promptly be reported to 911, CHI housing management, and Peninsula College Campus Safety Services. CHI follows their own protocols for reporting while also working with Campus Safety Services for Clery reportable crimes, including fire statistics. This is done on an annual basis.

## Timely Warnings, Emergency Notifications, and Community Advisories

### Sign Up to Receive Alerts

PC Alerts will send texts & email messages to employees & students (if information is provided), when there are important updates that need to be communicated to PC staff and students. Students are automatically entered into the system in an "Opt-out" process at the beginning of each quarter and based on the most current contact information available in the CTCLink system. If students would like to opt out of the system, they can email [campussafety@pencol.edu](mailto:campussafety@pencol.edu) or contact Campus Safety by dialing (360) 417-6559.

Employees are prompted to opt-in to the PC Alert ([PC Alert Me - Formstack](#)) (Appendix 4) system during the on-boarding process with Human Resources, or by following the instructions on the Peninsula College Intranet



## Emergency Notification Authority

The following PC officials have been identified as having authority to authorize and/or issue Emergency Notifications depending upon the situation and availability: President, Vice President for Finance and Administration, Vice President of Student Services, Director of Facilities, Director of Marketing and Communications, and Director of Emergency Management & Campus Public Safety. PC Officials are primarily responsible for confirming there is a significant emergency or dangerous situation on campus that could cause an immediate threat to the health and safety of the members of the campus community. The responsibility of the Director of Emergency Management & Campus Public Safety, or their designee, will initiate the notification and send out a campus wide notification.

## Types of Alerts

The Clery Act requires educational institutions to issue a “timely warning” notification to the campus community when a Clery Act crime occurs on the institution’s Clery geography and is deemed to represent a serious or continuing threat to the campus community. The Clery Act also requires institutions to immediately issue an “emergency notification” to the campus community upon confirmation of a significant emergency involving an immediate threat to the health or safety of students or employees occurring on campus and/or non-campus properties. Community Advisories are discretionary notifications issued for the purpose of disseminating information to the campus community about crimes, incidents or safety hazards that could potentially impact members of the campus community.

## Issuing Alerts

Timely Warnings and Emergency notifications will be provided and sent to the campus community by campus safety services when a Clery Act occurs on PC property and constitutes an ongoing or continuing serious threat to the college community. The responsibility of the Director of Emergency Management & Campus Public Safety, or their designee, will review each case; consider all the facts; evaluate all content; if a timely warning or emergency notification is warranted, they will determine the best method to disseminate the message as soon as feasible. The notification will not contain the victim’s name or any other personally identifying information. The information provided in the notifications will advise community members on the best course of action for a particular crime. Timely Warning and Emergency Notifications are reviewed and approved by the Director of Emergency Management & Campus Public Safety or their designee and can be issued through mass email, PC Alerts, posting on the Campus Safety website or main page of the PC website, or other means as appropriate. Campus Safety will issue updates for alerts to provide relevant additional information and will normally utilize the same methods used in distributing the original notification.

## Missing Student Protocol

The following missing student protocol will be used by Campus Safety anytime a student is reported missing. If any member of the College community has reason to believe that a student who resides in or on campus housing is missing, that person should immediately notify Campus Safety Services. After investigating the missing person report, should Campus Safety determine that the student is missing for more than 24 hours, local law enforcement will be notified, unless the local law enforcement agency was the entity that made the determination that the student is missing. Additionally, contact will be made with the missing student’s emergency contact (if

available) within 24 hours. If the missing person is under the age of 18 and is not an emancipated individual, Campus Safety Services will notify the student's parent or legal guardian. This 24-hour requirement does not preclude implementing the above procedures in less than 24 hours if circumstances warrant a faster implementation.

It is the responsibility of the student to update any changes to contact information within ctclick (the student management system). Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may utilize this confidential information. If a resident is under 18 years of age, and not an emancipated individual, the custodial parent or guardian of the missing student will be notified, in addition to the confidential contact person designated by the student.

Students, employees, or other individuals can report that a person has been missing directly to Campus Safety Services or any of the Campus Security Authorities (CSAs).

Campus Safety will attempt to locate and/or notify an emergency contact person for any Peninsula campus community member who has been reported missing. This may include reporting to and assisting local law enforcement as needed.

- **Call 911**
- **Campus Safety Services (360) 417-6559**
- **e-mail [campussafety@pencol.edu](mailto:campussafety@pencol.edu)**

### Reporting a Crime That May Require a Timely Warning

If you are the survivor of or witness to a crime that may require a timely warning alert because there is an immediate threat to the safety of the campus community, please immediately report the crime to:

- **Campus Safety Services by calling (360) 417-6559.**
- **In immediate danger, call 911.**

### Emergency Notifications, Preparedness, and Evacuations

Campus Safety Services will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty or staff occurring on campus. In accordance with the Higher Education Act of 1965 as amended, Peninsula College has developed a comprehensive multi-channel emergency notification system and procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, staff or visitors occurring on the campus. Campus Safety Services may place a hold on issuing the notification if, in the professional judgment of responsible authorities, issuing it would compromise efforts to assist victims, or contain, respond to, or otherwise mitigate the emergency.

Campus Safety Services uses a variety of methods and will initialize the notification(s) including but not limited to email notices and text messages through PC Alerts, cellular phone, website notices, and social media channels such as: Facebook and Instagram. In situations where there is an armed subject(s) or other threat on or near a campus that requires all campus buildings to be locked down, the system will broadcast a unique alert tone indicating those inside buildings



should “lock down and secure in place” and provide instructions regarding what is happening, followed by recommendations as to what protective actions they should take.

## Follow-Up Messages

Updates can also be provided as appropriate, either by prepared message scripts or live voice messages. An “All Clear” message will be broadcast when it is safe to resume normal activity. This system is integrated within the Building Fire System and is used to evacuate buildings when the Fire Alarm is activated. The Fire Alarm broadcasts an industry standard “temporal three” alert tone followed by audible message instructing occupants to exit the building until deemed safe to reenter by Public Safety or the Fire Department. The system is tested quarterly for network connectivity between all campuses. Evacuation and “lockdown” drills are conducted in all campus buildings and outside areas at least once annually.

## Safety Awareness and Crime Prevention Tips

Peninsula College promotes the following information to students, faculty, and staff: Incident Reporting

- For emergencies or a crime being committed, call or text **9-1-1**.
- Report all crimes, no matter how minor they may seem. Notify Campus Safety Services of all suspicious persons or activity at (360) 417-6559.
- On campus, report any unsafe-looking areas, or any malfunctioning lights, doors, or windows, to Campus Safety Services at (360) 417- 6559.

Survivors of crimes are not responsible for their victimization, regardless of their actions. Criminals are responsible for crime. Not all crimes can be prevented with preparation and readiness, but campus community members can improve their safety by taking the following precautions:

- If working or studying late, arrange to leave with a friend or call Campus Safety Services at **(360) 417-6559 for a Safety Escort**.
- Refrain from getting in elevators with people who look out of place or behave in a strange or threatening way. Always report suspicious people or conditions to Campus Safety Services.
- If followed, go to a populated area.
- Be alert to any suspicious persons or vehicles.
- Carry a fully charged cell phone with emergency numbers pre-programmed.

Property Protection:

- Don’t leave valuables unattended (backpacks, wallets, purses, keys, computers, phones, electronic devices, etc.).
- Engrave personal property, such as electronic or sporting equipment, with a Washington State Driver’s License Number, Example: PCLOCNEP253B2

Keep a written record of all personal valuables, including descriptions and serial numbers. It is evidence that the property belongs to the rightful owner.

Bicycle Theft:

- Never leave a bicycle unlocked. It only takes a moment to steal an unlocked bicycle.
- U-shaped locks are best. Cables and padlocks can be cut easily and quickly.
- Lock the bicycle frame to one of the many bike racks located around campus. Front wheels can be easily removed.

#### Office Security:

- Never leave purses, wallets, or other valuables unattended. Lock them in a drawer or closet or carry them.
- Do not leave keys unattended, and do not loan out college keys.
- Request authorization from persons asking for confidential information or from delivery or repair people who want to enter an area restricted to employees.

#### Key Control:

- Those responsible for office keys should not leave them unattended, in plain sight on a desk, or in a top drawer where they could be taken or copied easily.
- Give keys only to those who have a legitimate need and make sure they are returned.
- If keys are lost or stolen, notify Campus Safety Services immediately (360) 417-6559

#### Parking Safety:

- Lock vehicles at all times.
- Remove all valuables from vehicles. Leave them at home, carry them, or lock them in the trunk.
- When returning to a vehicle, have the keys out while approaching. Look through windows to check the interior before going inside.

#### In a Threatening Situation:

- If physically attacked, attract attention by yelling loudly or using a whistle.
- If using self-defense tactics or equipment such as pepper spray, run away as soon as the attacker is disabled.
- Decide what to do in various situations before they occur. Try role-playing or talking about various situations with a friend.
- If confronted by someone who only wants property, give it to them.
- Try to get an accurate description of the assailant. If a vehicle is involved, get license.

## How to Report a Crime

### Reporting Crime, Emergencies, and Other Incidents

Promptly reporting a crime to either campus safety or law enforcement is essential to the apprehension and arrest of criminals. The odds of law enforcement making an arrest decreases quickly with the passage of time. If you are a survivor of a crime, or witness to a crime, immediately go to a safe place, call 911, after calling 911 stay on the line with the dispatcher in either case and tell them everything you can remember about the suspect and then call Campus Safety Services.

For example, please provide a description of the suspect(s):

1. Clothing;
2. physical appearance including height, and weight;
3. hair and eye color;
4. distinguishing marks such as scars, piercings, or tattoos.
5. If a vehicle is involved, make note of the color of the vehicle, the make and model, and the license plate number.
6. Be as specific as possible about the location of the incident by noting the address where the incident occurred, and the names of businesses located nearby.
7. Note the direction of travel that the suspect took when they left the scene and anything else that may be helpful to police in their efforts to apprehend the suspect(s).

Reporting crimes to Campus Safety Services or law enforcement decreases the likelihood that the crime will happen again and assists Campus Safety to timely respond to incidents of crime and keep our campus safe.

## Reporting Crime to Campus Security Authorities (CSA)

Under the Clery Act, there are three categories of individuals who are considered Campus Security Authorities:

- Campus Safety Services;
- Campus Security Authorities / Individuals specifically identified as preferred receivers of reports;
- Individuals with significant responsibility for student and campus activities, including student housing, discipline, and campus judicial proceedings.

The following is a list of individuals and offices where students and employees can report crime (other than to law enforcement) so the offense can be included in the annual statistical disclosures:

- Director of Emergency Management & Campus Public Safety Services Marty Martinez via email: [mmartinez@pencol.edu](mailto:mmartinez@pencol.edu) or by calling (360) 417-6580.
- Vice President of Human Resources Diversity, Equity & Inclusion Hanan Zawideh e-mail: [hzawidesh@pencol.edu](mailto:hzawidesh@pencol.edu)  
Phone (360) 417-6212.
- Title IX Coordinator, Vice President of HR Diversity Equity Inclusion via e-mail: [hzawideh@pencol.edu](mailto:hzawideh@pencol.edu) or by calling (360) 417-6212.
- Office of Student Conduct, Associate Dean of Enrollment Services Ruth Adams via e-mail: [radams@pencol.edu](mailto:radams@pencol.edu) or by calling (360) 417-6393.
- Human Resources via e-mail [pchr@pencol.edu](mailto:pchr@pencol.edu) or by calling M-F (360) 417-6298.
- Facilities Management (360) 452-9277, Director of Facility Services Jay Smith via e-mail: [jsmith@pencol.edu](mailto:jsmith@pencol.edu) or by calling (360) 417-6403.
- Any other individual at PC that is a designated Campus Security Authority.

# Procedures for Reporting Crime and Emergencies

Peninsula College is dedicated to creating a safe environment for students, staff, faculty, and visitors by strongly encouraging accurate and prompt reporting of all crimes and public safety related information. Campus Safety Services at Peninsula College encourage reporting of any suspicious activity on or off campus that is not conducive to the College Mission of teaching and learning. Such reports are taken seriously and in a timely manner. 911 should be dialed in all emergency situations.

Incident reports are forwarded to the appropriate office responsible for student conduct for potential action, as appropriate. Any report of sexual discrimination, sexual misconduct, relationship violence and/or stalking will be reported to the Title IX Office. Additional information obtained via the investigation may also be forwarded to the appropriate office responsible for student conduct. Campus Safety Services maintains a strong working relationship with the local law enforcement agencies, and strives to keep open communication, as needed, and warranted, for the safety of all PC students, employees, and guests.

- In person at Building J, office J25 (located across from the Bookstore in the Pirate Union Building PUB) or
- email [campussafety@pencol.edu](mailto:campussafety@pencol.edu) to report the crime.

We suggest that everyone program the Campus Safety Services phone number into their cellphone for quick and easy access.

## Important Phone Numbers

Please add the emergency and non-emergency numbers below to your phone's contacts list.

### Peninsula College

- Campus Safety Services: (360) 417-6559

### Local Law Enforcement Agency, Port Angeles Campus

- Port Angeles Police Department
  - Emergency: 911
  - Non-emergency: (360) 452-4545
- Sequim Police Department
  - Emergency: 911
  - Non-emergency: (360) 452-4545
- Clallam County Sheriff's Office
  - Emergency: 911
  - Non-emergency: (360) 452-4545

### Local Law Enforcement Agency, Forks Campus

- Forks Police Department
  - Emergency: 911
  - Non-emergency: (360) 452-4545
- Clallam County Sheriff's Office
  - Emergency: 911
  - Non-emergency: (360) 452-4545

## Local Law Enforcement Agency, Port Townsend Campus

- Port Townsend Police Department
  - Emergency: 911
  - Non-emergency: (360) 385-2322
- Jefferson County Sheriff's Office
  - Emergency: 911
  - Non-emergency: (360) 344-9779
  - Fort Worden State Park Ranger Office: (360) 344-4412

# Voluntary and Confidential Reporting

## Confidentiality Statement

Confidentiality is the legal and ethical duty of therapists not to reveal information about their clients to unauthorized individuals. Legally and ethically, therapists are bound by statute and by the profession's code of professional conduct not to reveal information about their clients to unauthorized individuals. Peninsula College Mental Health Staff will email student resources that apply to their situation. To keep confidentiality, the Counseling team will not share private and confidential information. The Mental Health Counselor(s) will submit a report annually with only the required crime statistic data, which will be included in the annual security report (ASF SR), and all other information is kept private and confidential. [PC Cares Report | Peninsula College Advocate System \(symplicity.com\)](#). (Appendix 2).

Peninsula College will treat all communication with students as private, following FERPA and/or HIPPA guidelines. Information obtained through testing, individual counseling sessions, or pastoral and professional counselors or any other means shall remain a private communication. Students involved in group counseling are asked to treat the group sessions in a similar confidential manner.

### **The only situations in which this confidentiality will be breached are the following:**

1. Those in which the student threatens harm to themselves or others. Under those circumstances, the Counselor is responsible to take whatever steps are necessary to ensure the safety of the individual and/or those in their environment who may be at risk.
2. Counselors are required to report physical and sexual abuse of minors or the elderly to the State Department of Social Services.
3. Counselors may release records if required by a court ordered subpoena.

Any other release of information, either written or verbal, will only occur after written authorization from the student.

## Voluntary and Confidential Reporting of Crime (Not to Law Enforcement)

Any individual who wants to report a crime other than to Campus Safety or law enforcement may do so by speaking with professionals who have legally protected confidentiality. At Peninsula College, confidential reports may be made to a PC **confidential** employee, a Mental Health Counselor, located in building D, Information shared with the Mental Health Counselor will remain confidential and will not be shared with PC, or anyone else without express, written permission of the individual seeking services unless required by law or court order. [PC Cares Report | Peninsula College Advocate System \(symplicity.com\)](#). (Appendix 2).

## Non-Confidential

Even though these services are not confidential, all information shared with them will be kept private, meaning that it will only be shared on a need-to-know basis, and with notice. These resources can also provide academic support including help working with faculty, registration issues, or other things that students experiencing sexual assault or misconduct may need to be successful at PC.

- Associate Dean for Student Advising and Support Services
- Associate Dean for Enrollment Services
- Human Resources Department
- Title IX Coordinator and Deputy Coordinator

## Help for Students Experiencing Sexual Harassment or Misconduct

PC is committed to offering several ways to get help for students experiencing sexual harassment, or misconduct. While many individuals and offices are ready to help, they fall into two broad categories: confidential and not confidential.

## Steps I Can Take to Contribute to a Safe and Healthy Community

1. BE ALERT. Always be alert to your surroundings.
2. IF ANYONE OBSERVES ANY SUSPICIOUS ACTIVITY OR WISH TO REPORT ANY CRIMINAL ACT, CALL THE POLICE IMMEDIATELY. For police, fire, or medical emergencies on any Peninsula College campus, contact law enforcement by calling 911 from any campus phone or cell phone. The campus community is encouraged to also report all crimes and safety-related incidents accurately and promptly to the Campus Safety Services in one of three ways:
  - a. By phone: Dial (360) 417-6559 to reach a Campus Safety Officer or Security Services.
  - b. By Email: email Campus Safety Services at [campussafety@pencol.edu](mailto:campussafety@pencol.edu)
  - c. By submitting a C.A.R.E. Report by visiting the PC website at [Peninsula College \(pencol.edu\)](https://www.pencol.edu) (Appendix 5) and search for PC CARES or Campus Safety. Once there, employees & students will want to submit a report using the PC Cares Report at: [PC Cares Report | Peninsula College Advocate System \(symplicity.com\)](https://www.pencol.edu) (Appendix 2)
3. IF ANYONE BECOMES AWARE OF A CRIME, OBSERVE A SUSPICIOUS PERSON OR SITUATION, OR ARE A VICTIM YOURSELF, PROMPTLY REPORT IT TO THE POLICE (911) and then Campus Safety Services (360) 417-6559. Timely reports increase the likelihood that critical evidence will be obtained, stolen property will be recovered, and the offender will be successfully prosecuted. This is especially important in cases involving sex offenses. A prompt report to the police will also ensure that you are made aware of all available victim support services.
4. AVOID WALKING ALONE AT NIGHT. Plan to walk in groups, whenever possible. At the Port Angeles campus, please contact Campus Safety Services at (360) 417-6559 for a security escort. If employees or students must travel alone at night, stay on well-lit paths and sidewalks.



5. On-Campus Housing: KEEP YOUR ROOM DOOR LOCKED AT ALL TIMES. Locking your door with your key, wherever you reside, is an effective way to reduce theft and enhance personal safety. The vast majority of thefts occur from unlocked rooms when the occupant is gone only briefly. Do not prop open exterior doors; close any doors propped open. Propped doors are a high risk and greatly increase the chances of your victimization. Do not open your door to someone you do not know.
6. DO NOT LEND YOUR KEY TO ANYONE. Report a lost or stolen key to your landlord or housing manager.
7. REPORT OBSCENE, ANNOYING, OR HARASSING PHONE CALLS OR E-MAIL MESSAGES TO LAW ENFORCEMENT IMMEDIATELY. The non-emergency number for Clallam County is: (360) 452-4545. The non-emergency number for Jefferson County is (360) 344-9799.
8. REPORT ALL SECURITY-RELATED MAINTENANCE PROBLEMS. Locks, doors, windows, exterior lights in need of replacement, shrubbery in need of trimming or other unsafe conditions should be reported immediately to Facilities by calling the Main College number at: (360) 452-9277. Campus facilities and landscaping are maintained in a manner to minimize hazardous conditions. Any conditions found are reported to the appropriate department. At other campuses report maintenance issues to the branch administrator.
9. PARK YOUR CAR IN WELL-LIT AREAS AND KEEP IT LOCKED. Lock all valuables in the trunk of your vehicle.
10. SECURE YOUR BICYCLE WHEN ON CAMPUS. Campus Safety Services strongly recommends a U-style lock.
11. BE AWARE OF CAMPUS CRIME TRENDS. Information on campus crime is available on the PC Campus Safety website. The Campus Safety Services maintains a daily Crime/Fire Log which can be found online at [Daily Crime & Fire Log | Peninsula College \(pencol.edu\)](#) (Appendix 6) A printed copy can be obtained at the Campus Safety Office at PC Port Angeles during business hours, or by emailing [campussafety@pencol.edu](mailto:campussafety@pencol.edu). Request a copy of the report from either Campus Director at PC-Forks, or PC-Port Townsend.
12. PROTECT YOUR LAPTOP. Always have your laptop secured, whether in your room or in study areas, as it is a high value, targeted item for theft.

## Testing and Evaluation

Peninsula College regularly conducts training sessions and emergency exercises, including tabletop exercises, functional and full-scale exercises, and tests of the PC Alert system to assess and evaluate the emergency plans and the capabilities of the campus to respond to an emergency. Strategic Communications for the PC campuses publicizes information about testing of the PC Alert system a few days prior to the test.

Tests/Drills on the PC campuses are performed a minimum of two times per year and Campus Safety Services staff perform their own internal tests to stay current on use of the system. The tests/drills are announced in advance to the campus community.

On the PC Port Angeles campus, Campus Safety Services conducts regularly scheduled tests, drills, exercises, and appropriate follow-through activities to assess Peninsula College's preparedness and response plans. The exercises include the emergency management system

and emergency response organization (Incident Management Team). Exercises include earthquake drills, lock down drill and fire drill.

## Drill and Exercises

Since PC is a large multi-campus district it is important to understand that no single approach can reach 100 percent of the staff, faculty, and student population. To optimize the efficiency and effectiveness of our emergency notification efforts, PC maintains a multi-modal approach to all hazard's emergency alert and notification. Because PC uses several methods of communication channels to inform staff, students and the community, the appropriate communication channel(s) will be determined by the incident timelines, type of incident, scope of the incidents and populations affected.

### Fiscal Year 2023 Drills and Exercise Events

Date	Drill/Exercise Description	Location
5/17/2023	Cyber Attack Table Top	J47
10/19/2023	Earthquake Drill	All Campuses
11/29/2023	Active Threat Table Top	PCPA - C203

## Daily Crime & Fire Log

The Daily Crime & Fire Log records activity reported to Peninsula College Campus Safety Services. The log will include a summary of the incident, the date, time and general location of each incident, and the disposition, if known.

The Daily Crime & Fire Log is always open to the public for inspection during normal business hours. Any portion of the log that is older than 60 days must be made available within two business days of a public request.

Information may be withheld from the Daily Crime & Fire Log, in these cases:

- Disclosure of information is prohibited by law.
- Disclosure would jeopardize the confidentiality of the victim.
- There is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual.

The Peninsula College Daily Crime & Fire Log can be found on the College website under Campus Safety/Emergency Management at [Daily Crime & Fire Log | Peninsula College \(pencol.edu\)](#) (Appendix 6)

Peninsula College maintains a Campus Safety Services Department and is therefore required under the Clery Act to publish a Daily Crime & Fire Log that reflects reports of crimes and incidents made to Campus Safety Services. Access the online Daily Crime & Fire at [Daily Crime & Fire Log | Peninsula College \(pencol.edu\)](#) (Appendix 6).

Reports of crime entered on the Daily Crime & Fire Log are made without regard to whether the reports have been investigated, proven, or otherwise determined to have credibility. This entry of



this information is intended to provide information to our campus community about reported crimes on or near campus, and to allow community members to make informed decisions about their personal safety. The DCL contains the information entered by Campus Safety Services into its system following a call to Campus Safety for service, and includes: the crime classification, case number, date of report, date and time of occurrence, general location, and disposition.

Campus Safety encourages anyone with information about entries on the Daily Crime & Fire Log or any retaliation related to those reports, to contact Campus Safety as soon as possible. The Department of Campus Safety Services encourages all individuals to promptly report all crimes to Campus Safety or local law enforcement. The crime statistics contained in PC's Annual Security Reports are different from the reports reflected in the Daily Crime & Fire Log because the Annual Security Report only reflects statistics for Clery Act reportable crimes that occurred on defined Clery geography locations. The Daily Crime & Fire Log reflects all incidents, which occurred either on or off campus.

The Daily Crime & Fire Log is updated by Campus Safety Services personnel each business day with information concerning reports of crime made to Campus Safety. Reports received on weekends and holidays are recorded in the log on the next business day. Entries made on the log within the last sixty days are updated as new information becomes available.

## Crime Statistics

The following crime statistics account for the three Peninsula College campus locations in Clallam and Jefferson counties.

## Clery Act Crime Statistics – Port Angeles Main Campus

<b>2023 Crime Statistics</b>					
<b>Offense (Reported by Hierarchy Rule)</b>	<b>On-Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>Total</b>	<b>On-Campus Student Housing Facility (CHI)</b>
<b>Murder/Non-Negligent Manslaughter</b>	0	0	0	0	0
<b>Manslaughter by Negligence</b>	0	0	0	0	0
<b>Rape</b>	0	0	0	0	0
<b>Fondling</b>	0	0	0	0	0
<b>Incest</b>	0	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0	0
<b>Robbery</b>	0	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0	0
<b>Burglary</b>	0	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0	0
<b>Arson</b>	0	0	0	0	0
<b>Domestic Violence</b>	0	0	0	0	0
<b>Dating Violence</b>	0	0	0	0	0
<b>Stalking</b>	0	0	0	0	0
<b>Unfounded Crimes</b>	0	0	0	0	0

## 2022 Crime Statistics

Offense (Reported by Hierarchy Rule)	On-Campus	Non-Campus	Public Property	Total	On-Campus Student Housing Facility (CHI)
<b>Murder/Non-Negligent Manslaughter</b>	0	0	0	0	0
<b>Manslaughter by Negligence</b>	0	0	0	0	0
<b>Rape</b>	0	12	0	12	0
<b>Fondling</b>	0	0	0	0	0
<b>Incest</b>	0	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0	0
<b>Robbery</b>	0	0	0	0	0
<b>Aggravated Assault</b>	0	8	0	8	0
<b>Burglary</b>	2	0	0	2	0
<b>Motor Vehicle Theft</b>	0	0	4	4	0
<b>Arson</b>	0	0	0	0	0
<b>Domestic Violence</b>	0	1	0	1	0
<b>Dating Violence</b>	0	1	0	1	0
<b>Stalking</b>	0	1	0	1	0
<b>Unfounded Crimes</b>	0	5	0	5	0

## 2021 Crime Statistics

Offense (Reported by Hierarchy Rule)	On-Campus	Non-Campus	Public Property	Total	On-Campus Student Housing Facility (CHI)
<b>Murder/Non-Negligent Manslaughter</b>	0	0	0	0	0
<b>Manslaughter by Negligence</b>	0	0	0	0	0
<b>Rape</b>	0	3	0	3	0
<b>Fondling</b>	0	0	0	0	0
<b>Incest</b>	0	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0	0
<b>Robbery</b>	0	0	0	0	0
<b>Aggravated Assault</b>	0	9	0	9	0
<b>Burglary</b>	2	0	0	2	0
<b>Motor Vehicle Theft</b>	0	0	0	0	0
<b>Arson</b>	0	0	0	0	0
<b>Domestic Violence</b>	0	3	0	3	0
<b>Dating Violence</b>	0	4	0	4	0
<b>Stalking</b>	0	2	0	2	0
<b>Unfounded Crimes</b>	0	0	0	0	0

Clery Act Crime Statistics – Forks Campus

<b>2023 Crime Statistics</b>				
<b>Offense (Reported by Hierarchy Rule)</b>	<b>On-Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>Total</b>
<b>Murder/Non-Negligent Manslaughter</b>	0	0	0	0
<b>Manslaughter by Negligence</b>	0	0	0	0
<b>Rape</b>	0	0	0	0
<b>Fondling</b>	0	0	0	0
<b>Incest</b>	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0
<b>Robbery</b>	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0
<b>Burglary</b>	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0
<b>Arson</b>	0	0	0	0
<b>Domestic Violence</b>	0	0	0	0
<b>Dating Violence</b>	0	0	0	0
<b>Stalking</b>	0	0	0	0
<b>Unfounded Crimes</b>	0	0	0	0

## 2022 Crime Statistics

Offense (Reported by Hierarchy Rule)	On-Campus	Non-Campus	Public Property	Total
<b>Murder/Non-Negligent Manslaughter</b>	0	0	0	0
<b>Manslaughter by Negligence</b>	0	0	0	0
<b>Rape</b>	0	0	0	0
<b>Fondling</b>	0	0	0	0
<b>Incest</b>	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0
<b>Robbery</b>	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0
<b>Burglary</b>	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0
<b>Arson</b>	0	0	0	0
<b>Domestic Violence</b>	0	0	0	0
<b>Dating Violence</b>	0	0	0	0
<b>Stalking</b>	0	0	0	0
<b>Unfounded Crimes</b>	0	0	0	0

## 2021 Crime Statistics

Offense (Reported by Hierarchy Rule)	On-Campus	Non-Campus	Public Property	Total
<b>Murder/Non-Negligent Manslaughter</b>	0	0	0	0
<b>Manslaughter by Negligence</b>	0	0	0	0
<b>Rape</b>	0	0	0	0
<b>Fondling</b>	0	0	0	0
<b>Incest</b>	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0
<b>Robbery</b>	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0
<b>Burglary</b>	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0
<b>Arson</b>	0	0	0	0
<b>Domestic Violence</b>	0	0	0	0
<b>Dating Violence</b>	0	0	0	0
<b>Stalking</b>	0	0	0	0
<b>Unfounded Crimes</b>	0	0	0	0

- No housing units at the Forks Campus

## Clery Act Crime Statistics – Port Townsend Campus

<b>2023 Crime Statistics</b>				
<b>Offense (Reported by Hierarchy Rule)</b>	<b>On-Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>Total</b>
<b>Murder/Non-Negligent Manslaughter</b>	0	0	0	0
<b>Manslaughter by Negligence</b>	0	0	0	0
<b>Rape</b>	0	0	0	0
<b>Fondling</b>	0	0	0	0
<b>Incest</b>	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0
<b>Robbery</b>	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0
<b>Burglary</b>	2	0	0	2
<b>Motor Vehicle Theft</b>	0	0	0	0
<b>Arson</b>	0	0	0	0
<b>Domestic Violence</b>	0	0	0	0
<b>Dating Violence</b>	0	0	0	0
<b>Stalking</b>	0	0	0	0
<b>Unfounded Crimes</b>	0	0	0	0



## 2022 Crime Statistics

Offense (Reported by Hierarchy Rule)	On-Campus	Non-Campus	Public Property	Total
<b>Murder/Non-Negligent Manslaughter</b>	0	0	0	0
<b>Manslaughter by Negligence</b>	0	0	0	0
<b>Rape</b>	0	0	0	0
<b>Fondling</b>	0	0	0	0
<b>Incest</b>	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0
<b>Robbery</b>	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0
<b>Burglary</b>	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0
<b>Arson</b>	0	0	0	0
<b>Domestic Violence</b>	0	0	0	0
<b>Dating Violence</b>	0	0	0	0
<b>Stalking</b>	0	0	0	0
<b>Unfounded Crimes</b>	0	0	0	0

## 2021 Crime Statistics

Offense (Reported by Hierarchy Rule)	On-Campus	Non-Campus	Public Property	Total
<b>Murder/Non-Negligent Manslaughter</b>	0	0	0	0
<b>Manslaughter by Negligence</b>	0	0	0	0
<b>Rape</b>	0	0	0	0
<b>Fondling</b>	0	0	0	0
<b>Incest</b>	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0
<b>Robbery</b>	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0
<b>Burglary</b>	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0
<b>Arson</b>	0	0	0	0
<b>Domestic Violence</b>	0	0	0	0
<b>Dating Violence</b>	0	0	0	0
<b>Stalking</b>	0	0	0	0
<b>Unfounded Crimes</b>	0	0	0	0

- No housing units at the Port Townsend Campus

## Hate Crimes Statistics (Combines all numbers from all of the Campus')

Any reportable crime that law enforcement determines has a biased motive. "Bias" means a bias based on color, race, gender, gender identify, religion, disability, sexual orientation, or ethnicity/national origin.

### 2023 Hate Crime Statistics

Offense	On-Campus	Non-Campus	Public Property	Total	On-Campus Student Housing Facility (CHI)
Arson	0	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0	0
Sex Offences (rape, fondling, incest, statutory rape)	0	0	0	0	0
Robbery	0	0	0	0	0
Simple Assault	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Larceny Theft	0	0	0	0	0
Intimidation	0	0	0	0	0
Destruction, Damage, or Vandalism of Property	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0

### 2022 Hate Crime Statistics

Offense	On-Campus	Non-Campus	Public Property	Total	On-Campus Student Housing Facility (CHI)
Arson	0	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0	0
Sex Offences (rape, fondling, incest, statutory rape)	0	0	0	0	0
Robbery	0	0	0	0	0
Simple Assault	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	0	0	0	0	0

<b>Motor Vehicle Theft</b>	0	0	0	0	0
<b>Larceny Theft</b>	0	0	0	0	0
<b>Intimidation</b>	0	0	0	0	0
<b>Destruction, Damage, or Vandalism of Property</b>	0	0	0	0	0
<b>Unfounded Crimes</b>	0	0	0	0	0

### 2021 Hate Crime Statistics

<b>Offense</b>	<b>On-Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>Total</b>	<b>On-Campus Student Housing Facility (CHI)</b>
<b>Arson</b>	0	0	0	0	0
<b>Murder/Non-Negligent Manslaughter</b>	0	0	0	0	0
<b>Sex Offences (rape, fondling, incest, statutory rape)</b>	0	0	0	0	0
<b>Robbery</b>	0	0	0	0	0
<b>Simple Assault</b>	0	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0	0
<b>Burglary</b>	0	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0	0
<b>Larceny Theft</b>	0	0	0	0	0
<b>Intimidation</b>	0	0	0	0	0
<b>Destruction, Damage, or Vandalism of Property</b>	0	0	0	0	0
<b>Unfounded Crimes</b>	0	0	0	0	0

## Liquor, Drug Weapon Offense

### Referral/Disciplinary Actions

#### 2023 Liquor, Drug Weapon Offense

Notifications/Arrests	On-Campus	Non-Campus	Public Property	Total	On-Campus Student Housing Facility (CHI)	Arrests
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0
<b>Referred for Disciplinary Action</b>						
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0	0

#### 2022 Liquor, Drug Weapon Offense

Notifications/Arrests	On-Campus	Non-Campus	Public Property	Total	On-Campus Student Housing Facility (CHI)	Arrests
Liquor Violations	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0
<b>Referred for Disciplinary Action</b>						

Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0	0

**2021 Liquor, Drug Weapon Offense**

Notifications/Arrests	On-Campus	Non-Campus	Public Property	Total	On-Campus Student Housing Facility (CHI)	Arrests
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0
<b>Referred for Disciplinary Action</b>						
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0	0	0	0
Unfounded Crimes	0	0	0	0	0	0

- Anyone under 21 it is against the law for consuming/possession/selling of liquor.
- Marijuana is legal in Washington for Adults 21 years and older.
- Other drugs are against the law to sell or have in possession.



## Reporting Hate Crimes

Hate Crimes reporting under the Clery Act may be divided into three general categories:

1. Any reportable crime that law enforcement determines has a biased motive. “Bias” means a bias based on color, race, gender, gender identify, religion, disability, sexual orientation, or ethnicity/national origin.
2. Crimes that result in bodily injury, and that law enforcement determines has a biased motive.
3. Any of the (below) non-required crimes, where it was determined by Law Enforcement that the motive was bias:

**a. Larceny/Theft**

1. *Pocket Picking* - theft of articles from another person’s physical possessions by stealth where the victim usually does not become immediately aware of theft. (If use of force or threat of force is present, this will be counted as a strong-arm robbery.
2. *Purse Snatching* – grabbing or snatching of a purse, handbag, etc., from the physical possession of another person.
3. *Shoplifting* – theft from within a building which is either open to the general public or where the offender has legal access.
4. *Theft from Building* – Theft from within a building which is either open to the general public or where the offender has legal access.
5. *Theft from Coin Operated Machine or Device* – theft from a machine or device which is operated or activated by the use of coins.
6. *Theft from a Motor Vehicle* – theft of articles from a motor vehicle, whether locked or unlocked. Note: Do not count theft of motor vehicle parts or accessories.
7. *All Other Larceny* – all thefts which do not fit any of the definitions of the specific subcategories of Larceny/Theft listed above.

**b. Simple Assault** – an unlawful physical attack by one person upon another where neither the offender displays a weapon, but the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**c. Intimidation** – to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

**d. Destruction/Damage/Vandalism of Property (Except Arson)** – to destroy willfully or maliciously, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## Campus Security Authority (CSA)

The Clery Act requires Peninsula College to disclose statistics for certain crimes that occur within the Institute’s Clery geography and that are reported to Campus Security Authorities (CSAs) or local law enforcement. CSAs include any member of the Campus Safety Department; any individual who has responsibility for campus security; any individual identified by the College as someone to whom a crime should be reported; and any college official who has significant responsibility for student and campus activities. A wide variety of individuals serve as CSAs based on their job functions and include people working in the offices below:

- Campus Safety Services
- Department of Athletics, including coaching staff, trainers, and associated staff members
- Office of Student Conduct
- Student Organizations, Leadership, and Engagements Office
- Student Support Services
- Vice Presidents
- Human Resources Office
- Faculty that Oversees Clubs, Greek Affairs, Student Groups
- Title IX Coordinator

A reasonable attempt has been made to collect crime statistics from all CSAs and to identify all reported Clery Act crimes for inclusion in this Annual Security & Fire Safety Report. For assistance with Clery related inquiries please email Campus Safety Services at [campussafety@pencol.edu](mailto:campussafety@pencol.edu).

## Campus Policies

Peninsula College is committed to upholding our Mission, Vision & Guiding Principles through the fair and consistent application of our policies and procedures. Our policies and procedures provide an institutional perspective on many important issues for college management and governance. Peninsula College is currently reviewing and updating their policies and procedures, please refer to the date “reviewed” for the latest version published. They also provide a context for action and thoughtful decision making. For quick access to commonly referenced policies and procedures, visit [PolicyTech - Browse \(navexone.com\)](#). (Appendix 7)

### Possession, Use, and Sale of Alcoholic Beverages and/or Unlawful Drugs

Part of the Peninsula College mission is a commitment to providing an atmosphere of creative learning and healthful living for students. The personal hazards involved with substance abuse and the detrimental effects such abuse has on others undermine the commitment of safety and security to students. Therefore, Peninsula upholds policies that prohibit the use of alcohol, tobacco, and unlawful drugs (including underage minors). Students are expected to practice this lifestyle while on campus.

The College prohibits the use, possession, delivery, sale or being observably under the influence of any drug as defined by RCW 69.41 or any other controlled substance, including marijuana, under RCW 69.50, except as prescribed by a licensed practitioner. Also, the College limits the use of alcohol and tobacco on Peninsula College owned or leased facilities. Any student found to be in violation of the college’s Drug, Alcohol and Tobacco policy may be referred to the CARE Team for evaluation and be required to abide by any further recommendations as a condition of continued enrollment. Any students found guilty of alcohol or drug violations will be referred to the student conduct office.

It is the College’s policy that each discipline situation be treated on an individual basis, in a manner and with the least possible personal embarrassment and disruption of the student’s education.

If a student comes under disciplinary action by violating College's regulations and policies including alleged sex offenses, the Vice President for Student Services, the Student Conduct Officer, and/or the Student Affairs Committee will seek a solution to the problem and obtain appropriate support that may involve contacting the student's parents, restitution, and any one of the several levels of discipline. Depending on the situation, the College follows Title IX policies and procedures. Discipline does not necessarily proceed consecutively through each of the following levels, and the College may proceed directly to any level, including dismissal from Peninsula College, in its sole discretion based on the totality of the circumstances:

- Verbal and/or written disciplinary warning from a Conduct Officer or the Vice President for Student Services
- Disciplinary probation which may include restriction of privileges, behavioral contract, etc.
- Suspension from classes for a period of time
- Dismissal from school
- No contact order and/or not in good standing
- Substance abuse education
- Program referral.
- Counseling
- Health Risk
- Treatment Programs

## **Drug-Free Schools and Campuses Act (DFSCA)**

Under Part 86 of the Education Department General Administrative Regulation (EDGAR) and the Drug-Free Schools and Community Act, institutions of higher education (IHEs) receiving federal financial assistance must perform:

1. The annual distribution in writing to each employee, and to each student who is taking one or more classes for any type of academic credit except for continuing education units, regardless of the length of the student's program of study, of—
  - Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities
  - A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol
  - A description of the health risks associated with the use of illicit drugs and the abuse of alcohol
  - A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students
  - A clear statement that the IHE will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct.
2. A biennial review by the IHE of its program to—
  - Determine its effectiveness and implement changes to the program if they are needed
  - Ensure that the disciplinary sanctions described in paragraph (a)(5) of this section are consistently enforced.

In accordance with these laws, this report detailed below is distributed annually to Peninsula College faculty, staff and students in compliance with the [Drug-Free Workplace Act of 1988](#) (Appendix 8) and the Drug-Free Schools and Community Act of 1989 [H.R.3614 - 101st Congress \(1989-1990\): Drug-Free Schools and Communities Act Amendments of 1989](#) | [Congress.gov](#) | [Library of Congress](#) (Appendix 9).

## FEDERAL AND STATE SANCTIONS AND LOCAL MUNICIPAL CODES

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are enforced for drug convictions, including mandatory prison terms for many offenses. The following information is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

### FEDERAL SANCTIONS

The following information contains the Federal penalties and sanctions for illegal possession of a controlled substance as published by the Department of Justice (DOJ) and Drug Enforcement Administration (DEA). Additional penalties are imposed for trafficking.

21 U.S.C. 844(a). First conviction: Up to one year imprisonment and fined at least \$1,000 but not more than \$100,000, or both. After one prior drug conviction: At least 15 days in prison, not to exceed two years and fined at least \$2,500 but not more than \$250,000, or both. After two or more prior drug convictions: At least 90 days in prison, not to exceed three years and fined at least \$5,000 but not more than \$250,000, or both. Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:

1. 1st conviction and the amount of crack possessed exceeds five grams.
2. 2nd crack conviction and the amount of crack possessed exceeds three grams.
3. 3rd or subsequent crack conviction and the amount of crack possessed exceeds one gram.

21 U.S.C. 853(a)(2) and 881(a)(7). Forfeiture of personal real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment. (See special sentencing provisions re: crack.)

21 U.S.C. 881(c)(4). Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844a. Civil fine of up to \$10,000 (pending adoption of final regulations).

21 U.S.C. 853a. Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second and subsequent offenses.

18 U.S.C. 922(g). Ineligible to receive or purchase a firearm.

Miscellaneous. Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

### STATE SANCTIONS

The following information regarding legal sanctions under Washington state laws for the unlawful possession, use or distribution of controlled substances and alcohol is taken from the Revised Code of Washington.

[RCW 66.44.270: FURNISHING LIQUOR TO MINORS—POSSESSION, USE—PENALTIES—EXHIBITION OF EFFECTS—EXCEPTIONS. \(WA.GOV\)](#) (Appendix 10)

(1) It is unlawful for any person to sell, give, or otherwise supply liquor to any person under the age of 21 years or permit any person under that age to consume liquor on his or her premises or on any premises under his or her control. For the purposes of this subsection, "premises" includes real property, houses, buildings, and other structures, and motor vehicles and watercraft. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter RCW 9A.20.

(2) The board may impose civil penalties as set forth in this section on individuals for the sale, gift, or otherwise supply of liquor to any person under the age of 21 occurring from a business licensed by the board under this chapter, and by a person performing acts of employment on behalf of the business. The board may impose a civil penalty in lieu of issuing a criminal citation under subsection (1) of this section.

(3)(a) It is unlawful for any person under the age of 21 years to possess, consume, or otherwise acquire any liquor. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter RCW 9A.20.

(b) It is unlawful for a person under the age of 21 years to be in a public place, or to be in a motor vehicle in a public place, while exhibiting the effects of having consumed liquor. For purposes of this subsection, exhibiting the effects of having consumed liquor means that a person has the odor of liquor on his or her breath and either: (i) Is in possession of or close proximity to a container that has or recently had liquor in it; or (ii) by speech, manner, appearance, behavior, lack of coordination, or otherwise, exhibits that he or she is under the influence of liquor. This subsection (3)(b) does not apply if the person is in the presence of a parent or guardian or has consumed or is consuming liquor under circumstances described in subsection (5), (6), or (8) of this section.

(4) Subsections (1) and (3)(a) of this section do not apply to liquor given or permitted to be given to a person under the age of 21 years by a parent or guardian and consumed in the presence of the parent or guardian. This subsection shall not authorize consumption or possession of liquor by a person under the age of twenty-one years on any premises licensed under chapter RCW 66.24.

### **DRIVING UNDER THE INFLUENCE**

(1) A person is guilty of driving while under the influence of intoxicating liquor, cannabis, or any drug if the person drives a vehicle within this state:

(a) And the person has, within two hours after driving, an alcohol concentration of 0.08 or higher as shown by analysis of the person's breath or blood or

(b) The person has, within two hours after driving, a THC concentration of 5.00 or higher as shown by analysis of the person's blood; or

(c) While the person is under the influence of or affected by intoxicating liquor, cannabis, or any drug; or

(d) While the person is under the combined influence of or affected by intoxicating liquor, cannabis, and any drug.

Possession of marijuana for medical and recreational purposes is legal in Washington. However, the law limits its possession. Possession of more than 40 grams of marijuana is a felony

punishable with up to 5 years of incarceration and a fine of \$10,000. It is also a felony to give a minor any amount of marijuana. The penalty for this is 10 years of incarceration and a \$10,000 fine. Possessing marijuana within 1,000 feet of a school, public park, public transportation, or school bus stop is also a felony punishable by double the fines and imprisonment recommended for the amount found on the offender.

## HEALTH RISKS

### ***Alcohol—beer, wine, liquor***

- Dependence Potential: yes.
- Possible Effects: muscle relaxation, impaired motor control, memory and judgment, depression, intoxication.
- Common Complications: severe impairment of all physical and mental functions, risk of choking or injury from falls or accidents, loss of consciousness, respiratory failure, coma, death due to anesthesia of brain centers controlling breathing and heart rate.

### ***Cannabis—marijuana, hashish, hashish oil***

- Dependence Potential: yes.
- Possible Effects: altered sense of time and visual perception, euphoria, memory, depression interference, reduced coordination and reflex response capacity.
- Common Complications: fatigue, reactions ranging from mild anxiety to panic and paranoia, confusion, disorientation, hallucinations and distortion of sense perceptions.

### ***Steroids—anabolic steroids***

- Dependence Potential: yes.
- Possible Effects: acne, aggressive behavior, anger management problems, cholesterol imbalance, impotence, psychosis.
- Common Complications: aggressive behavior, psychosis, reduced fertility, stroke, liver damage, increased cancer risk.

### ***Stimulants—cocaine, crack, speed, amphetamines, and methamphetamines***

- Dependence Potential: yes.
- Possible Effects: increased alertness, increased pulse and blood pressure, euphoria, pupil dilation, insomnia, loss of appetite.
- Common Complications: agitation, irritability, dizziness, confusion, fatigue, depression, seizure, convulsions, tactile or visual hallucinations, possible death.

### ***Nicotine—cigarette, cigar, pipe smoking, vaping (e-cigarettes) chewing tobacco***

- Dependence Potential: yes.
- Possible Effects: increased heart rate and blood pressure, irritation of the eyes, nose and respiratory tract, shortness of breath, decreased sensitivity of taste buds, depression.
- Common Complications: increased risk of: heart attack, cardiovascular disease, mouth, throat and lung cancer, and other pulmonary disease



## Information about Moderate Drinking

If you are making a choice to drink alcoholic beverages, there are some strategies to consider adopting that will lessen the chance of a negative consequence occurring. You are encouraged to:

- Plan ahead, and set a limit before you start drinking
- Consider how you will get home, plans for next day
- Be aware of your health and mood
- 1 drink means 12 oz. of beer, 4 oz. of wine, or 1 oz. of spirits
- Pour your own drinks, and measure them
- Keep track of how much you drink
- Eat some food before you drink (something that isn't salty!)
- Sip, instead of gulp, your drink (make it last awhile!)
- Substitute or alternate nonalcoholic drinks
- Do NOT mix energy drinks with alcohol
- Space your drinks (i.e., No more than 1 per hour)
- Try to resist pressure to keep up with your friends, or join in drinking games
- Be aware of cues that can influence you to drink more: (i.e., people, places, emotions, thirst, and stress)

## Standard of Conduct for Students

This Student Code of Conduct applies to all students, recognized student organizations, and groups of students. In addition, students who are enrolled in specific educational programs are expected to follow those related academic and professional standards. To view the Student Code of Conduct Rights and Responsibilities and related information, visit Chapter 132A-127 WAC [PC Student Rights and Responsibilities 8-2024.pdf \(pencol.edu\)](#) (Appendix 11)

### Jurisdiction

- (1) The Peninsula College student rights and responsibilities shall apply to conduct by students or student groups that occurs:
  - (a) On college premises;
  - (b) At or in connection with college programs or activities; or
  - (c) Off college premises, if in the judgment of the college, the conduct has an adverse impact on the college community, the pursuit of its objectives, or the ability of a student or staff to participate in the college's programs and activities.
- (2) Jurisdiction extends to locations in which students are engaged in college programs or activities including, but not limited to, college-sponsored housing, foreign or domestic travel, activities funded by the students, student government, student clubs or organizations, athletic events, training internships, cooperative and distance education, online education, practicums, supervised work experiences or any other college-sanctioned social or club activities.
- (3) Students are responsible for their conduct from the time they gain admission to the college through the last day of enrollment or award of any degree or certificate, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of enrollment.

- (4) These standards shall apply to a student's conduct even if the student withdraws from college while a disciplinary matter is pending.
- (5) The college has sole discretion, on a case-by-case basis, to determine whether the student conduct code will be applied to conduct by students or student groups that occurs off-campus.
- (6) In addition to initiating disciplinary proceedings for violation of the student conduct code, the college may refer any violations of federal, state, or local laws to civil and criminal authorities for disposition. The college reserves the right to pursue student disciplinary proceedings regardless of whether the underlying conduct is subject to civil or criminal prosecution.

**Student Rights:** As members of the academic community, students are encouraged to develop the capacity for critical judgment and to engage in an independent search for truth. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the college community.

The following enumerated rights are guaranteed to each student within the limitations of statutory law and college policy, which are deemed necessary to achieve the educational goals of the college:

- (1) Academic freedom.
  - (a) Students are guaranteed the rights of free inquiry, expression, and assembly upon and within college facilities that are generally open and available to the public.
  - (b) Students are free to pursue appropriate educational objectives from among the college's curricula, programs, and student affairs, subject to the limitations of RCW 28B.50.090 (3)(b).
  - (c) Students shall be protected from academic evaluation that is arbitrary, prejudiced, or capricious, but are responsible for meeting the standards of academic performance established by each of their instructors.
  - (d) Students have the right to a learning environment that is free from unlawful discrimination, inappropriate and disrespectful conduct, and any and all harassment, including sex discrimination.
- (2) Due process.
  - (a) The rights of students to be secure in their persons, quarters, papers, and effects against unreasonable searches and seizures is guaranteed.
  - (b) No disciplinary sanction may be imposed on any student without notice to the accused of the nature of the charges.
  - (c) A student accused of violating this code of student conduct is entitled, upon request, to procedural due process as set forth in this chapter.

### Corrective action, disciplinary sanctions, terms and conditions.

(1) One or more of the following corrective actions or disciplinary sanctions may be imposed upon a student or upon college sponsored student organizations, athletic teams, or living groups found responsible for violating the student conduct code.

Student Conduct Issues, please contact:

- Office of Student Conduct, Associate Dean of Enrollment Services Ruth Adams via e-mail: [radams@pencol.edu](mailto:radams@pencol.edu) or by calling (360) 417-6393.

## Help for Student Experiencing Sexual Harassment or Misconduct.

The College's highest priority is your safety and the safety of everyone on campus. The use of alcohol or drugs never makes the victim at fault for sexual violence.

Peninsula College Student Services provides professional, confidential, no-cost crisis counseling services to students. To schedule an appointment, call 360-417-6340 or stop by Pirate Central in the Student Services Building "D."

Do I have avenues off campus to file a complaint?

Yes, you can file sex discrimination complaints with:

- Washington State Human Rights Commission
- U.S. Equal Employment Opportunity Commission
- U.S. Office for Civil Rights, Department of Education

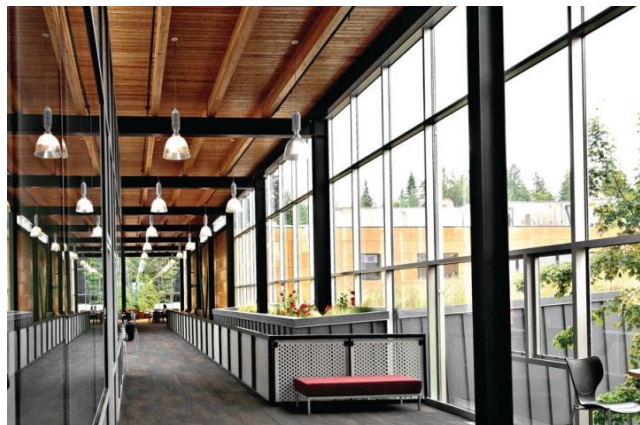
## Discrimination and Anti-Harassment Procedures

Procedure 501.01 [Non-Discrimination and Anti-Harassment Procedure v.2 \(navexone.com\)](#) (Appendix 12), & 501.03 [Supplemental Title IX Employee Disciplinary Hearing Procedure v.1 \(navexone.com\)](#) (Appendix 13)

## Help for Employees Experiencing Sexual Harassment or Misconduct

As a PC employee who is experiencing sexual harassment or misconduct, Human Resources Department can help either by walking into the office or by phone. If you prefer to speak with someone confidentially, please utilize the Employee Assistance Program (EAP). Any PC employee who is a victim of or at risk of domestic violence, sexual assault, or stalking is covered by Washington State Law. PC will provide reasonable safety accommodations and/or reasonable leave from employment for any of the following purposes:

- Seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to domestic violence, harassment, sexual assault, or stalking.
- Seek medical treatment for or to recover from injuries caused by domestic violence or sexual assault to or harassment or stalking of the eligible employee or the employee's minor child or dependent.
- Obtain, or to assist a minor child or dependent in obtaining, counseling from a licensed mental health professional related to an experience of domestic violence, harassment, sexual assault, or stalking.



- Obtain services from a victim services provider for the eligible employee or the employee's minor child or dependent.
- Try to relocate or take steps to secure an existing home to ensure the health and safety of the eligible employee or the employee's minor child or dependent. For more information about employee protections, please visit the Washington's Bureau of Labor & Industries website [Domestic Violence Leave \(wa.gov\)](https://www.wa.gov) (Appendix 14) Domestic violence protections for workers webpage. If anyone has experienced sexual harassment and misconduct and would like assistance from PC, please contact:
- HR team member
  - a. Office 1502 E Lauridsen Blvd, Building C Rm #40  
Phone (360) 417-6298  
Email [pchr@pencol.edu](mailto:pchr@pencol.edu)
- File a report at [PC Cares Report | Peninsula College Advocate System \(symplicity.com\)](https://www.pencol.edu/pc-cares-report) (Appendix 2).

## Workplace Behavior

Per the Washington Federation of State Employees Higher ED Community College Coalition Collective Bargaining Agreement, Article 3 the College and the Union agree that all employees should work in an environment that fosters mutual respect and professionalism. The parties agree that inappropriate behavior in the workplace does not promote a college's business, employee well-being, or productivity. All employees are responsible for contributing to such an environment and are expected to treat others with courtesy and respect.

Employees who believe they are being subjected to discourteous or offensive behavior are encouraged, when appropriate to:

- Ask the person engaging in the behavior to stop.
- If an employee is uncomfortable doing so, or if the behavior continues, the employee should report the incident to their immediate supervisor.
- If the employee is not comfortable reporting the matter to their immediate supervisor, the employee should contact the supervisor's manager.
- Employees may also contact an HR Representative or Union Representative.

Reports of unprofessional behavior are to be taken seriously by supervisors and managers and followed up on as promptly as is reasonably possible. If there is a report of inappropriate workplace behavior and a WFSE represented employee is involved, Article 3 in the WFSE HE CCC CBA shall be followed. Behavior that involves forms of unlawful discrimination or harassment based on a protected status under state or federal law is covered under PC's Non-Discrimination and Anti-Harassment Policy and Procedures. Complaints of unlawful discrimination or harassment should be directed to PC's Title IX Coordinator. The online form for a staff or student complaint is located at [PC Cares Report | Peninsula College Advocate System \(symplicity.com\)](https://www.pencol.edu/pc-cares-report) (Appendix 2)

# Non-Discrimination and Anti-Harassment Policy

Peninsula College recognizes that discrimination and harassment can impact the ability of students, staff, faculty, and community members to participate in, access, or reap the benefits of educational and employment opportunities. Peninsula College is committed to creating and maintaining a diverse, inclusive, accessible, and equitable community.

Peninsula College encourages reporting and questions, even anonymous questions, to the Title IX/Equal Employment Opportunity Coordinator or their designee under this policy. The College offers support even if reporting parties choose to limit the information they disclose. In addition, Peninsula College recognizes that reporting discrimination may be difficult for a number of reasons. Peninsula College expects all College employees, including student employees, to help create a culture of compliance with this policy, where recipients of harm feel comfortable reporting. Furthermore, Peninsula College also recognizes and is committed to the principles of free inquiry and free expression and understands that discussion and debate are fundamental to the College.

Complaints under this policy are to be reviewed on a case-by-case basis to ensure that the College maintains its tradition of intellectual freedom, the trust and respect expected in the College community, and the rights of individuals. In matters of admissions, employment, services, or in the educational program activities it operates, Peninsula College does not discriminate or permit discrimination by any member of its community against any individual on the basis of race, color, national or ethnic origin, age, pregnancy, genetic information, sex and/or gender, sexual orientation, gender identity or expression, marital status, creed, religion, honorably discharged veteran or military status, perceived or actual physical, mental, or sensory disability, including the use of a trained guide dog or service animal, or immigration or citizenship status, as required by Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Sections 504 and 508 of the Rehabilitation Act of 1973, the Americans with Disabilities Act and ADA Amendment Act, the Age Discrimination Act of 1975, the Violence Against Women Reauthorization Act and Washington State's Law Against Discrimination, Chapter 49.60 RCW and their implementing regulations. To this end, Peninsula College has enacted policies prohibiting discrimination against and harassment of members of these protected classes. Any individual found to be in violation of these policies will be subject to disciplinary action up to and including dismissal from the College or from employment.

## Statutory Authority

Washington State's Law Against Discrimination, Chapter 49.60; Title VI and VII of the Civil Rights Act of 1964; Age Discrimination Act of 1975; Section 504 and 508 Rehabilitation Act of 1973; Americans with Disabilities Act and ADA Amendment Act; Title IX of the Educational Amendments of 1972; Title II of the Genetic Information Non-Discrimination Act of 2008; Violence Against Women Reauthorization Act; and their implementing regulations.

## Complaints and Inquiries Regarding Discrimination, Harassment and Retaliation Within Peninsula College

The Title IX Coordinator oversees implementation and compliance of PC's Non-Discrimination and Anti-Harassment policy. The Title IX Coordinator has primary responsibility for coordinating PC's efforts related to investigation, resolution, implementation of corrective measures and monitoring to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited by PC's Non-Discrimination and Anti-Harassment policy. Inquiries about or concerns regarding this policy and procedures may be made internally to the contacts indicated below.

Peninsula College TITLE IX Contacts	
Hanan Zawideh <a href="mailto:hzawideh@pencol.edu">hzawideh@pencol.edu</a> , (360) 417-6212	Title IX Coordinator

Complaints and inquiries regarding discrimination, harassment, and retaliation involving federal laws may be directed to the contacts below.

Federal Contact Information	
<b>Office for Civil Rights (OCR)</b> U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202-1100 Customer Service Hotline: (800) 421-3481 Fax: (202) 453-6012 TDD: (877) 521-2172 Email: <a href="mailto:OCR@ed.gov">OCR@ed.gov</a> Website: <a href="http://www2.ed.gov">www2.ed.gov</a> (	<b>Equal Employment Opportunity Commission (EEOC)</b> Federal Office Building 909 First Avenue, Suite 400 Seattle, WA 98104-1061 Phone: (800) 669-4000 Fax: (206) 220-6911 TTY: (800) 669-6820 ASL Video Phone: (844) 234-5122 Website: <a href="http://www.eeoc.gov">www.eeoc.gov</a> v

Complaints and inquiries regarding discrimination, harassment, and retaliation involving Washington laws may be directed to the contacts below.

Washington Contact Information	Federal Contact Information
<b>Washington State Human Rights Commission</b> <a href="http://www.hum.wa.gov">www.hum.wa.gov</a>	<b>Bureau of Labor and Industries Civil Rights Division</b> 7273 Linderson Way SW Tumwater, WA 98501-5414 360.902.5800



# Title IX: Sexual Harassment and Sexual Violence

## Violence Against Women Reauthorization Act (VAWA)

The Violence Against Women Reauthorization Act (VAWA) amended the Jeanne Clery Act to afford additional rights to campus victims. Peninsula College prohibits all the crimes of dating violence, domestic violence, sexual assault and stalking.

The Violence Against Women Act (VAWA) along with Title IX and the Clery Act are federal laws enacted to improve the criminal justice and community-based responses to domestic violence, dating violence, sexual assault, and stalking. Under these laws, Peninsula College is required to educate students on the prevention of rape, acquaintance rape, domestic violence, sexual assault, and stalking. Peninsula College has partnered with Vector Solutions to provide this education for our students in an online module. In addition to training on prevention, the module will also instruct students about how to report incidents and where they can access campus and community support resources. We send this training to all new Peninsula College students quarterly and all new employees receive it upon hire.

Students and employees are notified of the training via email. If any employees receive any questions from students, they are directed to call the office of the Vice President of Student Services at (360) 417-6231 or e-mail Tara Judd at [tjudd@pencol.edu](mailto:tjudd@pencol.edu). This is NOT required for students to complete; it is only mandatory for us to provide educational resources.

Peninsula College has adopted procedures to assure compliance with; and in accordance with, Title IX of the Education Amendments of 1972 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), along with its amendments made pursuant to the Violence Against Women Reauthorization Act of 2013 (“VAWA”).

Further, Peninsula College is committed to providing its employees, students, and its guests, with educational environments free of violence, harassment, and discrimination.

If any students or employees have been the victim of violence, harassment, or discrimination, anyone has the option to file a confidential or non-confidential report with the Title IX Coordinator, and/or to contact local law enforcement.

Following a reported incident to the Title IX Coordinator, the Title IX Coordinator will pursue a thorough investigation which may lead to disciplinary proceedings.

Title IX Coordinator	Contact Telephone	Contact Email
Hanan Zawideh	(360) 417-6212	<a href="mailto:hzawideh@pencol.edu">hzawideh@pencol.edu</a>

## How to File a Complaint

Any employee, applicant, student or visitor of the College may file a complaint with the Title IX Coordinator. If the complaint is against that Coordinator, the complainant should report the matter to the president's office for referral to an alternate designee. Complaints may be submitted in writing or verbally. The College encourages the timely reporting of any incidents of discrimination or harassment. For complainants who wish to submit a written complaint, a formal complaint form is available online at [PC Cares Report | Peninsula College Advocate System \(symplicity.com\)](#) (Appendix 2). Hardcopies of the complaint form are available at the following locations on campus: Human Resources Office. Any person submitting a discrimination complaint shall be provided with a written copy of the College's anti-discrimination policies and procedures.

## Confidentiality and Right to Privacy

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

## Confidentiality Requests and Sexual Violence Complaints.

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

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

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

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

## Investigation Procedure

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

**Interim Measures.** The Title IX Coordinator may impose interim measures to protect the complainant and/or respondent pending the conclusion of the investigation. Interim measures may include, but are not limited to, imposition of no contact orders, rescheduling classes, temporary work reassignments, referrals for counseling or medical assistance, and imposition of a summary suspension in compliance with the College's student conduct code or an administrative leave of absence in compliance with the College's employment policies and collective bargaining agreements.

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

**Investigation:** Complaints shall be thoroughly and impartially investigated. The investigation shall include, but is not limited to, interviewing the complainant and the respondent, relevant witnesses, and reviewing relevant documents. The investigation shall be concluded within a reasonable time, normally ninety days unless there is good cause shown. If it appears completion of the investigation will take longer than ninety days, the Title IX/EEO Coordinator will notify the parties, describe the reasons for the delay, and provide an estimated time for completing the investigation.

At the conclusion of the investigation, the investigator shall set forth their findings in writing. If the investigator is someone other than the Title IX Coordinator, the investigator shall send a copy of the findings to the Title IX Coordinator.

The Title IX Coordinator will provide each party and the appropriate student services administrator or appointing authority with written notice of the investigative findings, subject to the following limitations. The complainant shall be informed in writing of the findings only to the extent that such findings directly related to the complainant's allegations. The complainant may be notified generally that the matter has been referred for disciplinary action. The respondent shall be informed in writing of the findings and of actions taken or recommended to resolve the complaint and shall be notified of referrals for disciplinary action. Both the complainant and the

respondent are entitled to review the investigative findings subject to any FERPA confidentiality requirements.

**Final Decision/Reconsideration:** Either the complainant or the respondent may seek reconsideration of the investigation findings. Requests for reconsideration shall be submitted in writing to the Title IX Coordinator within seven calendar days of receiving the investigation report. Requests must specify which portion of the findings should be reconsidered and the basis for reconsideration. If no request for reconsideration is received within seven calendar days, the findings become final. If a request for reconsideration is received, the Title IX Coordinator shall respond within 14 calendar days. The Title IX Coordinator shall either deny the request or, if the Title IX Coordinator determines that the request for reconsideration has merit, issue amended findings. Any amended findings are final, and no further reconsideration is available.

## Publication of Anti-Discrimination Policies and Procedures

The policies and procedures regarding complaints of discrimination and harassment are available on the Peninsula College website. Any person who believes they have been subjected to discrimination in violation of college policy will be provided a copy of these policies and procedures.

## Limits of Authority

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

## Non-Retaliation, Intimidation and Coercion

Retaliation by, for or against any participant (including complainant, respondent, witness, Title IX Coordinator, or investigator) is expressly prohibited. Retaliatory action of any kind taken against individuals as a result of seeking redress under the applicable procedures or serving as a witness in a subsequent investigation or any resulting disciplinary proceedings is prohibited and is conduct subject to discipline. Any person who thinks he/she has been the victim of retaliation should contact the Title IX Coordinator immediately.

## Criminal Complaints

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

City of Port Angeles Police Department  
321 East 5th Street  
Port Angeles, WA 98362  
Phone: 360-452-4545 <http://wa-portangeles.civicplus.com/288/Police-Department>

City of Forks Police Department  
500 East Division Street  
Forks, WA 98331  
Phone: 360-374-2223 <http://forkswashington.org/police-and-corrections>

City of Port Townsend Police Department  
1925 Blain Suite 100  
Port Townsend, WA 98368  
Phone: 360-385-2322 <http://cityofpt.us/police.htm>

City of Sequim Police Department  
152 W. Cedar Street  
Sequim, WA 98382  
Phone: (360) 683-7227 <https://www.sequimwa.gov/111/Police>

Clallam County Sheriff Department  
223 East 4th Street  
Port Angeles, WA 98362  
Phone: 360-417-2459 <http://www.clallam.net/sheriff/>

Jefferson County Sheriff Department  
79 Elkins Road  
Port Hadlock, WA 98339  
Phone: 360-385-3831 <http://www.jeffersonsheriff.org/>

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

### Other Discrimination Compliant Options

Discrimination complaints may also be filed with the following federal and state agencies:  
Washington State Human Rights Commission, <http://www.hum.wa.gov/index.html>  
US Dept of Education Office for Civil Rights, <http://www2.ed.gov/about/offices/list/ocr/index.html>  
Equal Employment Opportunity Commission, <http://www.eeoc.gov/>

# Dating Violence, Domestic Violence, Sexual Assault & Stalking

The Clery Act defines dating violence, domestic violence, sexual assault and stalking as follows:

## Dating Violence

Dating Violence includes any act of violence committed by an individual: a. who is or has been in a social relationship of a romantic or intimate nature with the Reporting Party; and b. where the existence of such a relationship shall be determined based on a consideration of the following factors: i. The length of the relationship; ii. The type of relationship; and iii. The frequency of interaction between the individuals involved in the relationship.

## Domestic Violence

Domestic violence means any felony or misdemeanor crime of violence committed against a person who is a spouse or former spouse, a cohabitant or former cohabitant, a person with whom they have a child, or with whom they have a previous or current dating, romantic, intimate, or sexual relationship.

## Sexual Assault

The Clery Act defines Sexual Assault as any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.

This includes Rape, Fondling, Incest, and Statutory Rape.

Sexual contact includes:

1. Sexual intercourse (anal, oral, or vaginal), including penetration with a body part (e.g., penis, finger, hand, tongue) or an object, or requiring another to penetrate themselves with a body part or an object, however slight; or
2. Sexual touching of the private body parts, including, but not limited to, contact with the breasts, buttocks, groin, genitals, or other intimate part of an individual's body for the purpose of sexual gratification.

## Stalking

Under the Clery Act, Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.
- For the purposes of this definition:
- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- 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



What to do if you have been sexually assaulted or experienced dating violence, domestic violence, or stalking:

### How do I report an incident or situation?

File a report with Peninsula College Campus Safety in Building J

Phone (360) 417-6559

Email [campussafety@pencol.edu](mailto:campussafety@pencol.edu)

Title IX Coordinator: Hanan Zawideh VP of Human Resources Diversity Equity and Inclusion  
Mail: 1502 E. Lauridsen Blvd, Port Angeles, WA 98362  
Email: [hzawideh@pencol.edu](mailto:hzawideh@pencol.edu)  
Phone: (360) 417-6212.  
In person: C Building, room C36.

Tell a trusted Peninsula College employee and ask for their help reporting.

Depending on the facts of the situation, the College may proceed with actions consistent with its due process procedures, Office of Civil Rights guidance, personnel policies, collective bargaining agreements, and Student Rights and Responsibilities Code. While an investigation is under way and/or as part of its resolution, the College may take steps to prevent the person(s) addressed in the complaint from contacting the complainant. If the behavior may be criminal, you have the right to file a criminal complaint. This will not delay the College in doing its own work to resolve the complaint promptly and equitably.

### Immediate Actions

1. Get to a Safe Location
2. Call 911
  - a. If you are on Campus call – Campus Safety (360) 417-6559
3. Preserve all physical evidence of the assault, even if you are unsure whether you want to report the crime. Do not shower, bathe, douche, eat, drink, wash your hands or brush your teeth until you have had a medical examination.
4. Get medical help as soon as possible.
5. Call a trusted friend, family member or someone else who can provide emotional support.

The college strongly encourages prompt reporting of all crime and prohibited conduct. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, and witness statements. The ability to effectively investigate and respond may be limited by delay. Reports of crime and prohibited conduct made to the college will be documented in compliance with the Clery Act, a federal law requiring data collection of crime within the campus geography. Personal information is not documented, only type of conduct, and the time, date, and location. This data collection is an important tool for keeping our community safe.

Victims of dating and domestic violence and stalking should save other types of evidence such as:

- Text message conversations;
- Instant message conversations
- Social networking pages
- call logs or any other types of communications; photographs or audio or video recordings
- Logs or other copies of documents.

Depending on the facts of the situation, the College may proceed with actions consistent with its due process procedures, Office of Civil Rights guidance, personnel policies, collective bargaining agreements, and Student Rights and Responsibilities Code. While an investigation is under way and/or as part of its resolution, the College may take steps to prevent the person(s) addressed in the complaint from contacting the complainant. If the behavior may be criminal, you have the right to file a criminal complaint. This will not delay the College in doing its own work to resolve the complaint promptly and equitably.

## Support Services in the Area

### **On-campus Mental Health Counseling Services**

Free, short-term counseling when classes are in session. Available to help students adjust to, cope with, and succeed in college. To schedule an appointment call 360-417-6340

**Olympic Medical Center Emergency Services:** call 911  
or visit Emergency Room: 939 Caroline St, Port Angeles, WA 98362

**Crisis Text line:** text CONNECT (741741)  
24-hour text support for any type of crisis, work with a trained crisis counselor, [www.crisistextline.org](http://www.crisistextline.org)

**Emergency Mental Health and Suicide Prevention** - call or text 988.  
Trained counselors will listen, understand how their problems are affecting them, provide support, and connect them to resources if necessary.  
Visit <https://988lifeline.org> to learn more.

**Salish Regional 24-hr Crisis Line:** 1-888-910-0416  
Serving Clallam, Jefferson, and Kitsap Counties  
Online chat available at: [www.imhurting.org](http://www.imhurting.org)

**Healthy Families of Clallam County 24-hr Crisis Line:** (360) 452-4357  
Services and assistance for: Domestic violence, sexual assault, child abuse, crime victims  
M-F 9am-4pm: (360) 452-3811 (for non-emergencies; otherwise use the 24-hr Crisis Line number)

**Peninsula Behavioral Health in Port Angeles:** (360) 457-0431  
[www.peninsulabehavioral.org/get-immediate-help](http://www.peninsulabehavioral.org/get-immediate-help)  
Crisis intervention, children & family services, counseling, etc.  
24/7 Crisis Support: 1-888-910-0416

**Volunteers in Medicine of the Olympics:** (360) 457-4431  
Mental health assessment, counseling services for low-income and un-insured

[www.vimoclinic.org](http://www.vimoclinic.org)

**National Alliance on Mental Illness—Clallam County Chapter:** (360) 452-5244

Support, education, awareness, advocacy & research for those impacted by mental health disorders

[www.namiclallam.org](http://www.namiclallam.org)

**National Domestic Violence 24-hr Hotline:** (800) 799-7233

Text to 88788, or live chat at [thehotline.org](http://thehotline.org)

Crisis Text line: text CONNECT (741741)

24-hour text support for any type of crisis, work with a trained crisis counselor

at [crisistextline.org](http://crisistextline.org)

All incoming and returning students and new employees are assigned online training by Student Services and Human Resources, respectively, provided through an external vendor. The training addresses primary prevention as well as risk reduction methods. Primary prevention is defined as efforts that address sexual, dating and domestic violence, and stalking before they occur. This mandatory training uses social norming questions that allow participants to engage with a scenario and then see how their peers responded. The training also covers efforts that deal with the immediate effects of sexual, dating and domestic violence, and stalking if they do occur. Finally, the training covers risk reduction, defined as efforts that give potential victims tools that could minimize risk of sexual violence as well as techniques to safely engage in upstander intervention and safe social practices.

### Risk Reduction Strategies

No one asks to be sexually assaulted or to experience abuse in a relationship and the person responsible for violence is the person who caused harm, not the person who experienced it. However, there are some things it would be helpful to keep in mind to reduce your risk (adapted from the Rape and Incest National Network):

1. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it is okay to leave.
2. Avoid being isolated with someone you do not trust or someone you do not know if you can.
3. When you go to a social gathering, go with a group of friends, arrive together, check-in with each other throughout the evening and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
4. Do not leave your drink unattended while talking, dancing, using the restroom or making a phone call. If you have left your drink alone, just get a new one.
5. Be thoughtful about accepting drinks from people you don't know or trust. If you choose to accept a drink:
  - a. Go with the person to the bar to order it, watch it being poured and carry it yourself.
  - b. At parties, do not drink from the punch bowls or other large, common open containers.

6. Watch out for your friends and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they have had or is acting out of character, get them to a safe place immediately.
7. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. Remember that you are not obligated to do anything you do not want to do or be nice to someone who is scaring you or is making you uncomfortable. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - b. Have a code word with your friends or family so if you do not feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - c. Lie. If you do not want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
  - d. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.
8. Clearly Communicate Limits: Establish and communicate clear boundaries in your relationships. Be firm about your personal space and rights.
9. Recognize Red Flags: Be aware of signs of abusive behavior, such as extreme jealousy, controlling behavior, or aggressive outbursts.
10. Have a Code Word: Establish a code word with trusted friends or family that you can use in case of an emergency to signal that you need help.
11. Create a Safety Plan: Develop a plan that includes safe places to go, important phone numbers, and a packed emergency bag with essentials.
  - a. [PERSONALIZED SAFETY PLAN \(www.dvsas.org\)](http://www.dvsas.org)
12. If you are being followed, do not go home. Go to the police station, fire department or an all night convenience store.
13. Alert your friends, family, co-workers and supervisor of the situation. Give them a detailed description of the stalker and any vehicles they use. Have them alert you if they see the stalker.
14. Upstanders:
  - a. Create a distraction
  - b. If you feel safe, deescalate situation, separate parties, or talk through the situation
  - c. Partner with another person for assistance.

Peninsula College Mental Health Staff regularly email student resources that apply to their situation. Staff may print/handout applicable materials from our website. PC doesn't often hand out resources or rights.

# Sex Offender Registration Information

## Adam Walsh Child Protection Safety Act of 2006

In accordance with the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, and the Family Educational Rights and Privacy Act of 1974, PC provides a link to Washington's State Sex Offender Registry. Additional information on contacting Washington Association of Sheriffs & Police Chiefs for sex offender information is listed below. All sex offenders are required to register in the state of Washington and to provide notice of each institution of higher education in Washington at which the person is employed, carries out a vocation, or is a student. All sex offenders residing in the state of Washington are required to deliver written notice of their status as a sex offender to the college's Public Safety Department no later than three (3) business days prior to their enrollment in, employment with, volunteering at Peninsula College.

Registered sex offender registry sites are listed below:

- Clallam County Sheriff's Office RSO search is at [Clallam County Sheriff's Office- Contact \(sheriffalerts.com\)](https://sheriffalerts.com)
- Jefferson County Sheriff's Office RSO search is at [Washington Assn of Sheriffs & Police Chiefs- Contact \(sheriffalerts.com\)](https://sheriffalerts.com)

## PC Registered Sex Offender

Peninsula College recognizes its general duty to provide a safe teaching and learning environment and a safe workplace with regard to notification of registered sex and kidnapping offenders. This procedure Peninsula College Procedure 525.03 - [Notification of Registered Sex and Kidnapping Offenders v.1 \(navexone.com\)](https://navexone.com) (Appendix 14) outlines notification requirements.

## Notification Requirements

Upon notification by the Clallam or Jefferson County sheriffs' offices of level I, II, or III registered sex or kidnapping offenders who are planning to enroll in classes, are enrolled, or those who are employees of the College, the Campus Safety office will initiate the notification process.

The Campus Safety office will:

1. review legal notifications of students and employees bi-quarterly;
2. process legal notifications as received, within two business days of receipt;
3. keep a record of the notification and a copy of the offender notice in a secure, locked location; student records are duplicated in the Vice President of Student Service office and employee records are duplicated in the Human Resource office. These three offices shall work together, under the leadership of the Vice President for Student Service, or designee, to provide the College community with the information necessary to ensure the health and safety of the College and to comply with state and federal law, where applicable.

## Authority to Release Information

The extent of public disclosure of relevant and necessary information shall be directly related to:

1. the level of risk posed by the offender to the community;
2. the locations where the offender resides, expects to reside, or is regularly found;

3. the needs of the affected community members for information to enhance their individual and collective safety.

#### Risk Level I Registered Offenders:

The College shall restrict information sharing to personnel who, for security purposes, must be aware of the offender's record.

#### Risk Level II Registered Offenders:

The College shall restrict information sharing to personnel who, for security purposes, must be aware of the offender's record. This will include disclosure of information to childcare centers, libraries, and common areas where the offender may be regularly found.

#### Risk Level III Registered Offenders:

The College shall restrict information sharing who personnel to, for security purposes, must be aware of the offender's record. This will include disclosure of information to childcare centers, libraries, common areas, and the College community at large.

#### Transient Registered Offenders:

In recognition of the unique risks presented by transient offenders, the College may share information of any transient offender to the College community at large.

### Student Offender Notification

Upon receiving notice of a sexual or kidnapping offender employed by Peninsula College, the Human Resource Director, or designee, shall review the employee's employment application for criminal disclosure. If the position into which the employee is working is in conflict with the offense, the employee will be provided with due process as outlined in the appropriate collective bargaining agreement or policy. If retained, the Human Resources Director, or designee, shall provide the offender with the following:

- Safe Environment Board Policy 525 ([Safe Environment v.1 \(navexone.com\)](#)) (Appendix 15)
- Institutional Procedure for Notification of Registered Sex and Kidnapping Offenders, Procedure 525.03 ([Notification of Registered Sex and Kidnapping Offenders v.1 \(navexone.com\)](#)) (Appendix 14)
- Code of Student Rights and Responsibilities, [PC Student Rights and Responsibilities 8-2024.pdf \(pencol.edu\)](#) (Appendix 11)

### Employee Offender Notification

Upon receiving notice of a sexual or kidnapping offender employed by Peninsula College, the Vice President of Human Resources & DEI, or designee, shall review the employee's employment application for criminal disclosure. If the position into which the employee is working is in conflict with the offense, the employee will be provided with due process as outlined in the appropriate collective bargaining agreement or policy. If retained, the Vice President of Human Resources & DEI, or designee, shall provide the offender with the following:

1. Safe Environment Policy 525 ([Safe Environment v.1 \(navexone.com\)](#)) (Appendix 15)

2. Institutional Procedure for Notification of Registered Sex and Kidnapping Offenders, Procedure 525.03 ([Notification of Registered Sex and Kidnapping Offenders v.1 \(navexone.com\)](#)) (Appendix 14)
3. Appropriate Collective Bargaining Agreements or Policies

### How to Obtain Sex Offender Information in Washington State:

For information about registered sex offenders in any county in the State of Washington, please contact the appropriate Sheriff's Department. For information about registered sex offenders living near or attending College in Clallam or Jefferson County, contact:

Clallam County Sheriff's Department 223 E. 4<sup>th</sup> ST, Port Angeles

Phone:(360) 417-2262

Jefferson County Sheriff's Office, 81 Elkins Rd, Port Hadlock

Phone: (360) 385-3831

To look up information on predatory sex offenders by name and location visit:

- [Sex Offender Information \(www.waspc.org\)](#)
- [Washington Assn of Sheriffs & Police Chiefs- Contact \(www.sheriffalerts.com\)](#)

In addition, a list of all registered sex offenders in Clallam/Jefferson County is available from the Clallam/Jefferson County Sheriff's Office at [Sheriff | Clallam County, WA \(www.clallamcountywa.gov\)](#) and [Sheriff's Office | Jefferson County, WA.](#)

Peninsula College is required to inform the campus community of enrolled or employed sex offenders and it is maintained and available at the Office of Campus Safety in the J Building (Office J25).

The CSCPA further amends the *Family Educational Rights and Privacy Act of 1974 (FERPA)* to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000.

## Fire Safety, Statistics, and Housing Information

### Fire Safety

The Campus Fire Safety Right-to-Know Act is an amendment to the Higher Education Opportunity Act. This addition is in place to increase campus fire safety awareness nationwide by providing prospective students and their families with fire safety records of post-secondary institutions with residential facilities. Fire Safety regulations apply only to institutions with on-campus student housing facilities. Peninsula College has one housing unit. Collegiate Housing International (CHI) is located at 1134 & 1138 E. Park Avenue, Port Angeles, WA 98362. The Federal government requires all eligible Title IV institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The data includes the number, cause,



related injuries and deaths, and the property damage associated with each fire, and to report this to the Department of Education on an annual basis.

The information in this section provides the campus community and prospective and current students, staff, faculty, and visitors information regarding the policies, concerns, and fire safety conditions that are present at Peninsula College. Peninsula College is required to maintain a log of all reported fires that occur in this facility in which Campus Safety Services and CHI housing management work together to provide and report this information. This information is provided on an annual basis in this Annual Security and Fire Safety Report.

### Collegiate Housing International Fire Report

Collegiate Housing International (CHI) is a privately owned and controlled property. Incidents that occur at CHI should promptly be reported to 911, CHI housing management and Peninsula College Campus Safety Services. CHI follows their own protocols for reporting while also working with Campus Safety Services for Clery reportable crimes, including fire statistics. This is done on an annual basis.

<b>Collegiate Housing International (CHI)</b> <b>1134 E Park Avenue</b> <b>Port Angeles, WA 98362</b>				
<b>Year</b>	<b>Fire Cause</b>	<b>Numbers of Injuries</b>	<b>Number of Deaths</b>	<b>Property Damage Value</b>
2023	1	0	0	0
2022	0	0	0	0
2021	0	0	0	0

### Collegiate Housing International - Student Housing

Collegiate Housing International (CHI) is a privately owned and controlled property; their website is [CHI Port Angeles - A Place for You!](#). CHI is located at 1134 E. Park Avenue, Port Angeles, WA 98362. Incidents that occur at CHI should promptly be reported to 911, and CHI housing management. CHI follows their own protocols for reporting while also working with Campus Safety Services for Clery reportable crimes, including fire statistics. This is done on an annual basis.

### Enforcement of Housing Contract

Subject to all applicable requirements of Washington State law, the CHI Manager may terminate the Housing Contract and cancel the right of occupancy at any time for any reason, in the Manager’s sole discretion, including without limitation:

### Use of Housing Facilities

When the Manager deems it necessary, the Manager will require students to move to other accommodation. When such circumstances occur, the student agrees to complete the move within the time specified by the Manager. The Manager may relocate student for the following reasons:

- to vacate or consolidate a room, floor, wing, or building.
- to provide the necessary space to accommodate staffing needs.
- to vacate an area for the purpose of major repairs or when maintenance difficulties or requirements render an area unsafe.
- when unusual conditions occur affecting the health or safety of the student or others
- student conduct in violation of Policies and Regulations (as defined below)

### Entering of Rooms

Subject to all notice requirements under applicable Washington State law, if any, the Manager reserves the right to enter Student's room without notice and in student's absence for reasons of health, safety, or general welfare; to make repairs to the room and/or furnishing; upon reasonable suspicion of the presence of any illegal substance or activity; or for other suspected violations of federal, state or local law or the Policies and Regulations (as defined below).

### Housing Health and Safety Inspections

The Manager will conduct a Health and Safety Inspection weekly. The inspection will be on a designated day of the week. The student will be given at least 48 hours' notice prior to the inspection if it is on a day other than the designated day. Managers may enter each unit and bedroom, without the student being present, to conduct the health and safety inspections and any re-inspections that may be necessary. If the room and/or common area is found to be in an unacceptable condition they will have 48 hours, from the time of the inspection, to correct the condition of the room and/or common area to a satisfactory condition. Students will be provided with written notice as to what is needed to correct the condition of the room and/or common area. If Student fails to correct the condition of the room or common area within 72 hours, she/he will be responsible for payment of any and all costs associated with having the CHI-Port Angeles Staff or outside vendor acting on behalf of CHI-Port Angeles correct the condition of the apartment.

### Housing Access Codes and Cards

Access Codes and cards are the property of CHI-Port Angeles and access cards must be returned at the end of student's occupancy. Students agree not to share access codes and not to distribute or loan access cards to others. A service fee shall be charged each time that the student locks himself/herself out of the premises, and requests assistance in gaining entry to premises and/or change of access codes.

### Smoking In Housing

Smoking and/or vaping is only allowed in designated areas on the outside of the building. It is not allowed within the building itself, including without limitation all student rooms, hallways, laundry room, stairways, dining room and storage areas, or within 25 feet of any building entrance. Persons found smoking or vaping indoors will be assessed a fine.

### Collegiate Housing International Policies, Regulations, and Contacts

**For Housing Policies and Regulations, please refer to [CHI Port Angeles - A Place for You!](#)**

### Emergency Contacts:

- 911 for immediate response from the Police and Fire Departments
- CHI Management Port Angeles, Curtis Brackett (415) 662-0750

**Current CHI Policies see the link: [CHI Port Angeles - A Place for You!](#)**

### Plans for future improvement in fire safety.

PC will continue to work with CHI to promote fire safety upon CHI request.

### Housing and Guests

Student Housing (CHI) residents and their guests who choose to consume alcohol must be twenty-one or older and must act responsibly while doing so. Also, residents may not partake in any illicit drug use, including marijuana.

### Counseling, Treatment, Rehabilitation or Resources

Please see contacts on page 58.

### CHI Building Information

Collegiate housing International (CHI). Located at 1135 & 1138 E Park Avenue, Port Angeles, WA 98362.

Student Housing Fire Safety Systems Information		
<b>Year Building Built</b>	2017	
<b>Numbers of Stories</b>	3	
<b>Exit Signage</b>	Yes	
<b>Smoke Alarms in Bedrooms</b>	Yes	Additional Smoke alarms in common areas & hallways
<b>Monitored Fire Alarm Systems</b>	Yes	
<b>Fire Alarm System</b>	Yes	
<b>Range Hood Fire Systems</b>	No	
<b>Dry Sprinkler</b>	No	
<b>Wet Sprinkler</b>	Yes	Wet sprinklers are located rooms & common areas
<b>Fire Pump</b>	No	
<b>Wet Standpipe</b>	No	
<b>Smoke Detection</b>	Yes	Only hallways
<b>Fire Extinguishers</b>	Yes	Large one on every floor & all units have one under the sink
<b>Fire Evacuation Maps</b>	No	
<b>Fire Drills</b>	No	Planning to

### Smoke/Carbon Monoxide (CO) Detectors in Housing Development

The student should immediately notify the Manager in the event that the smoke/CO detector equipment becomes damaged, lost, stolen, or otherwise inoperable. The student also should notify the Manager immediately if the smoke detectors appear to be inoperable. The student further understands that the willful damage, tampering, theft, or destruction of any smoke/CO detector or other life safety system endangers his/her safety and the safety of others in case of an emergency, and student may be held liable for damages incurred to people and/or property as a result of tampering with smoke and/or CO detectors.

### Definition of a Fire

A fire is defined as an instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. This doesn't include items like burnt microwave popcorn that has triggered a fire alarm or fires in parking facilities that are not physically attached to or accessed directly from on-campus student housing.

## Resources for Students and Employees

Premium Assistance Under Medicaid and the Children's Health Insurance Program (CHIP).

If any student, employees, or their dependent children are eligible for Medicaid or CHIP and you're eligible for health coverage from your employer, your state may have a premium assistance program that can help pay for coverage, using funds from their Medicaid or CHIP programs. If any student, employees, or their dependent children aren't eligible for Medicaid or CHIP, you won't be eligible for these premium assistance programs, but may be able to buy individual insurance coverage through the Health Insurance Marketplace. For more information, visit [healthcare.gov](https://www.healthcare.gov) or [Welcome! - Local Resources List - LibGuides at Peninsula College](#) (Appendix 16)

If any student, employees, or their dependents are already enrolled in Medicaid or CHIP and live in the State listed below, contact your State Medicaid or CHIP office to find out if premium assistance is available.

If any student, employees, or their dependents are NOT currently enrolled in Medicaid or CHIP and think that you or any of your dependents might be eligible for either of these programs, contact your State Medicaid or CHIP office or dial 1-877-KIDS NOW or [insurekidsnow.gov](https://insurekidsnow.gov) to find out how to apply. If students & employees qualify, ask your state if it has a program that might help pay the premiums for an employer-sponsored plan.

If any student, employees, or their dependents are eligible for premium assistance under Medicaid or CHIP, as well as eligible under your employer plan, your employer must allow you to enroll in your employer plan if you aren't already enrolled. This is called a "special enrollment" opportunity, and you must request coverage within 60 days of being determined eligible for premium assistance. If you have questions about enrolling in your employer plan, contact the Department of Labor at [askebsa.dol.gov](https://askebsa.dol.gov) or call 1-866-444-EBSA (3272).

Washington Medicaid

[www.hca.wa.gov](https://www.hca.wa.gov)  
(800) 562-3022

### Mandatory Child Abuse and Neglect Reporting

Peninsula College employees are mandatory reporters for child (under the age of 18) abuse neglect. This means all PC employees are required to report suspected cases under Washington law. The duty to report suspected child abuse cases as a mandatory reporter is a 24-hour-a-day, 7 day-a-week responsibility. This legal duty is personal to you as a community college employee and applies whether or not you are on work time. Reporting is required within 48 hours. Contact Department Youth and Families/DSHS at 866-end-harm (866-363-4276) or call 911. [PC Cares Report | Peninsula College Advocate System \(symplicity.com\)](#) (Appendix 2)

- Forks (360) 374-2223, option 1  
Port Angeles (360) 452-4545, press 2  
Port Townsend (360) 344-9779, ext. 0

## What are the responsibilities as an employee of PC?

Please immediately report suspected abuse to the Department of Social and Health Services (DSHS) or local law enforcement, providing only names and observable facts that relate to the potential abuse (what was, read, saw, or heard). If an employee or student is involved, remember that privacy rights may apply to individuals and that requests from DSHS or law enforcement for additional information must be made through appropriate college channels – Campus Safety Services, or Human Resources.

To report suspected abuse, call 1-866-END-HARM (866-363-4276). If DSHS or local law enforcement contacts you for any information about a student or employee, beyond observable facts related to the reported abuse, instruct them to contact either Campus Safety Services, or Human Resources. Do not provide any additional information about the student or employee beyond what has been observed; this restriction only specifically applies to PC employees or students (FERPA). If anyone believes that child abuse occurred on PC property or in conjunction with PC activities, AFTER reporting to local law enforcement or the Department of Human Services, employees must also report to PC Campus Safety Services. Report Title IX incidents: Title IX mandatory reporting requirements are different. If the observed abuse also implicates Title IX, employees must submit a report to the Title IX Coordinator through the college's Incident Reporting process. PC is charged with investigating all reported gender-based and sexual misconduct concerns, offering support to the people involved and implementing measures to maximize safety.

## Law Enforcement Agencies

The Following Law Enforcement Agencies may be contacted for non-emergencies:

- [Port Angeles Police Department](#) by dialing (360) 452-4545
- [Clallam County Sheriff's Office](#) by dialing (360) 452-4545
- [Port Townsend Police Department](#) by dialing (360) 385-2322
- [Jefferson County Sheriff's Office](#) by dialing (360) 344-9779 or (360) 385-3831
- [Forks Police Department](#) by dialing (360) 374-2223

## Other Support Services

### The C.A.R.E. Process

C.A.R.E. stands for Concern, Assess, Respond and Evaluate. In alignment with PC's goals, the goal of this work, is to improve overall retention and completion rates, reduce opportunity gaps, and shorten the student's time to completion. College is a difficult and stressful time in most students' lives. Everyone goes through challenging times and speaking up can help get individuals connected with resources both on and off-campus. The CARE process exists to support students as they face a variety of barriers to their success and well-being; this process includes collaborating with the students, faculty, staff, and partners across the college. This could include connecting students to the appropriate department, navigating an institutional process, or identifying college and/or community resources for assistance. For questions, please visit the C.A.R.E. [Click here to submit a CARE report.](#) (Appendix 2)

## Concern. Assess. Respond. Evaluate. (C.A.R.E.) Team

The Peninsula College C.A.R.E. Team connects students, faculty, and staff with resources to help them be successful and safe. If anyone is experiencing an emergency call 911. [Click here to submit a CARE report](#) (Appendix 2). CARE Team contact is [PCCares@pencol.edu](mailto:PCCares@pencol.edu).

## Voluntary Confidential Reporting

Victims may make anonymous reports by submitting a C.A.R.E Report by visiting [PC Cares Report | Peninsula College Advocate System \(symplicity.com\)](#) (Appendix 2)

## Local Resources List

Peninsula College partners with a wide variety of community services to support students & employees. These resources do provide legal assistance for Visa and immigration assistance questions. Local Resources List: [Welcome! - Local Resources List - LibGuides at Peninsula College](#) (Appendix 16).

## Washington Apple Health for Adults and Children

Some state employees may qualify for health care coverage through the [Washington Apple Health program](#) at no cost, or [Washington Apple Health for Kids with premiums](#). If anyone would like to see if they or their dependents qualify for coverage, please apply online at [www.wahealthplanfinder.org](http://www.wahealthplanfinder.org) or by contacting the Health Benefit Exchange Customer Support Center at 1-855-923-4633. To take advantage of this opportunity, I urge everyone to seek additional information as quickly as possible.

If anyone or their dependents qualify for no-cost Apple Health, they will have a choice of available managed care plans depending on the county in which they live. There are no premiums, co-pays, or deductibles. If your dependents qualify for Apple Health for Kids with premiums and you choose to enroll, you will be responsible to pay a small monthly premium.

Anyone may also choose to keep their insurance through their employer. If you keep your employer-based coverage, you may qualify for help with your insurance premiums.

Call (800) 562-3022 Ext. 15473 or visit the [Premium Payment](#) page on the Health Care Authority's website for more information. The site includes general information and an application form for your convenience. Additional information is available at the [U.S. Department of Labor's](#) website

## Disability Services

Per College Policy 505, Peninsula College shall provide to individuals qualifying with a disability an equal opportunity to access the benefits, rights, and privileges of college services, programs, activities, and employment in the most integrated setting appropriate to the individual's needs, in compliance with the Americans with Disabilities Act (ADA) of 1990, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act Amendment Act (ADAAA) of 2008, the State of Washington Laws against discrimination, and appropriate collective bargaining agreements. No individual shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination in any program or activity.

In accordance with the ADAAA of 2008, persons with disabilities have the right to request and receive reasonable accommodations that:



1. Are necessary to ensure that employment/academic requirements do not discriminate or have the effect of discriminating against a qualified individual with a disability based on that disability; and
2. Do not impose an undue hardship on the college or require alteration of academic requirements demonstrated as essential to the program of instruction being pursued.

It shall be the obligation of the individual with a disability to request reasonable accommodation.

Students are responsible for providing comprehensive documentation of their disability and making an accommodation request with the Access Services (AS) office. For more information contact AS at:

- SSD at [ssd@pencol.edu](mailto:ssd@pencol.edu) or
- (360) 417-6323;
- Toll Free in Washington (877) 452-9277, ext.6323

Employees (or employment applicants) may request accommodation by contacting:

HR Consultant: Kelley Opdyke

Phone: (360) 417-7985

Email: [PCHR@pencol.edu](mailto:PCHR@pencol.edu)

Office: #C39 located in the C building of Peninsula College 1502 E. Lauridsen Blvd, Port Angeles, WA 98362,

For more information on requesting accommodations at Peninsula College view College's procedure [Reasonable Accommodation / Academic Adjustment for Individuals with Disabilities v.1 \(navexone.com\)](#) (Appendix 17).

## Visa and Immigration Assistance

International Programs at Peninsula College provide Visa and Immigration Services for F-1 and M-1 student visa recipients. The department provides pre-departure, airport arrival, orientation, testing assistance, registration, health insurance, housing, immigration counseling and referrals to mental health counseling. The office also works with other departments on campus, such as Student Life to contribute ideas and invite student participation in campus activities and other events on campus. Prior to student arrival in the country, the International Programs office staff communicate regularly with overseas international student agents, sponsors and other affiliates to assist students in transitioning to studying in the US. The office provides a 'home-away-from-home' atmosphere for the students to acclimate and sense of belonging. For additional information for international student programs they can call (360) 417-7989 or see the website at [International Programs | Peninsula College \(pencol.edu\)](#) (Appendix 18 )

## Student Financial Aid

The Financial Aid Office assists students in applying for and receiving federal, state and institutional aid to help fund and achieve students' educational goals. The financial aid team helps students navigate the complexities of the application process, submitting any supplemental document(s), and ensuring students understand how the process works and how to get their aid. This includes helping demystify the application process, explaining different financial aid award types such as grants and scholarships vs loans, and ensuring students are getting all the state and federal aid they are entitled eligible to receive.

Financial Aid staff can help students in person, over the phone or email, and over Zoom.

### **Financial Aid**

**Email:** [FinancialAid@pencol.edu](mailto:FinancialAid@pencol.edu)

**Phone:** (360) 417-6390

**Fax:** (360) 417-6395

**Location:** Student Services Building, Main Campus

**Website:** [Financial Aid Office | Peninsula College \(pencol.edu\)](#) (Appendix 19)

### **Emergency Mental Health and Suicide Prevention - CALL OR TEXT 988.**

Trained counselors will listen, understand how their problems are affecting them, provide support, and connect them to resources if necessary. Visit <https://988lifeline.org> to learn more.

### **On campus Mental Health Counseling Services**

Free, short-term counseling when classes are in session. Available to help students adjust to, cope with, and succeed in college. To schedule an appointment call (360) 417-6340.

### **Emergency Funding for Peninsula College Students**

Is a financial situation impacting your ability to do well in college? [Emergency Funding \(pencol.edu\)](#) (Appendix 20) to apply for emergency funding.

### **Olympic Medical Center Emergency Services: CALL 911**

or visit Emergency Room: 939 Caroline St, Port Angeles, WA 98362

### **Salish Regional 24-hour Crisis Line: (888) 910-0416**

Serving Clallam, Jefferson, and Kitsap Counties. Online chat available at [www.imhurting.org](http://www.imhurting.org).

### **Healthy Families of Clallam County 24-hour Crisis Line: (360) 452-4357**

Services and assistance for: Domestic violence, sexual assault, child abuse, crime victims. Monday through Friday from 9:00 am to 4:00 pm. For non-emergencies, call (360) 452-3811; otherwise use the 24-hour Crisis Line number.

### **Peninsula Behavioral Health in Port Angeles: (360) 457-0431**

[www.peninsulabehavioral.org/get-immediate-help](http://www.peninsulabehavioral.org/get-immediate-help)

Crisis intervention, children & family services, counseling, etc.

24/7 Crisis Support: 1-888-910-0416

### **Olympic Peninsula Community Clinic: (360) 457-4431**

Mental health assessment, counseling services for low-income and uninsured [www.vimoclinic.org](http://www.vimoclinic.org)

### **National Alliance on Mental Illness—Clallam County Chapter: (360) 452-5244**

Support, education, awareness, advocacy & research for those impacted by mental health disorders at [www.namiclallam.org](http://www.namiclallam.org)

## National Resources Available

### **National Suicide Prevention Lifeline: (800) 273-8225**

1-800-273-TALK (8225) (24 hours a day)

24-hr web chat support: [suicidepreventionlifeline.org/chat](https://suicidepreventionlifeline.org/chat)

### **National Domestic Violence 24-hr Hotline: (800) 799-7233**

Text to 88788, or live chat at [thehotline.org](https://thehotline.org)

Crisis Text line: text CONNECT (741741)

24-hour text support for any type of crisis, work with a trained crisis counselor at [www.crisistextline.org](https://www.crisistextline.org)

Is a student or employee struggling with life, isolating themselves socially, or experiencing a decline in work or academic performance?

[PC Cares Report | Peninsula College Advocate System \(symplicity.com\)](#) (Appendix 2) to get them connected to the resources they need. The C.A.R.E. Team is here to help.

- [Peninsula College Emergency Funding](#) (Appendix 20)
- [Local Resources List](#) (Appendix 16)
- [North Olympic Peninsula Alcoholics Anonymous](#)
- [North Olympic Peninsula Narcotics Anonymous](#)
- [Clallam County Housing Resources Center \(HRC\): \(360\) 565-5041](#)
- [Olympic Community Action Programs](#)
- [Alcohol & Drug Rehab Centers in Washington & Free Treatment Resources](#)
- [Pirate Pantry/Port Angeles Food Bank](#)
- [Whole-Person Healthcare for Port Angeles, Sequim, Forks \(nohn-pa.org\)](#)
- [Olympic Medical Center - Working together to provide excellence in health care](#)

## Opioid Education and Awareness

The purpose of this SBCTC policy guidance document is to outline the implementation of House Bill [2112](#), focusing on opioid education, awareness, and training within college campuses, as well as providing access to naloxone and testing strips.

HB 2112 Requires that naloxone and fentanyl test strips be made available across campus.

Requires opioid and fentanyl prevention education and awareness for all students. May be in person or online and must include 'Good Samaritan' statute training. Must be posted on public college website for students, parents, and guardians.

Students and employees are not required by the college to assist during an overdose and are therefore covered under the Good Samaritan Law. The college prefers that if you suspect someone is overdosing on opioids, immediately contact Campus Safety and 9-1-1 rather than intervening yourself.

### **Opioid Training/Education and Awareness Programs:**

New employees and students receive training through our Vector Training program. The training is called Alcohol and other drugs. Peninsula College Campus Safety will also work with

local health officials to conduct in-person training on campus. There will also be videos available on the college website as Campus Safety Services continue to develop this ongoing HB 2112 directive.

### **Public Dispenser**

The Clallam County Department of Health & Human Services has provided a dispensary for the campus that is located on the north/side of the Pirate Union Building, a central location for Campus. The dispensary currently holds COVID testing kits, we are currently waiting until the Department of Health provides the Naloxone and Fentanyl test stripes. This machine is accessible 24/7 - 365.

### **Policy and Procedures**

Peninsula College has the following policies with regards to Alcohol and Drugs.

211 – Drug and Alcohol – Free Workplace Policy [Drug and Alcohol-Free Workplace Policy v.1 \(navexone.com\)](#) (Appendix 21), 518 – Drugs, Alcohol and Tobacco on College Facilities [Drugs, Alcohol and Tobacco on College Facilities v.1 \(navexone.com\)](#) (Appendix 22), 518.02 – Use of Alcohol on College Facilities [Use of Alcohol on College Facilities v.1 \(navexone.com\)](#) (Appendix 23)

[PC Student Rights and Responsibilities 8-2024.pdf \(pencol.edu\)](#) (Appendix 11)

## **Wraparound Services**

Wraparound services are community agencies who collaborate with Peninsula College to help connect students with resources. Students can meet with agency representatives from local organizations in person at the Community Services Office, in Workforce Programs (Building P) on the Port Angeles campus [Wraparound Services | Peninsula College \(pencol.edu\)](#) (Appendix 24)

## **Death of Student or Employee**

Peninsula College intends to ensure a professional and caring response in the event of a student or employee death by providing support, communication, coordination, and recommended guidance for affected parties. Those responsible for implementing this procedure should be guided by the essential communication needs required to respond effectively while maintaining sensitivity for the bereaved.

### **Responsibilities and Procedures Response Protocol**

1. If a death occurs on the College premise, call 911 immediately and Campus Safety Services x6559 (360) 417-6559 and describe the location and situation as clearly and specifically as possible. The scene of the incident must not be disturbed.
2. An individual made aware of the College student or employee death should immediately provide all known information [on a PC CARES report](#) (Appendix 2) for a student death and Human Resources for an employee death.
3. The CARE Team/Human Resources ensures:
  - a. Extension of condolence and support;

- b. Coordination of an appropriate response and notification to impacted individuals, groups, departments, and administrators;
  - c. Administration of necessary College processes;
  - d. Facilitation of post-crisis support, and resolution as needed.
4. The Office of Communication and Marketing or designee is responsible for collecting and disseminating information to the media. All media requests for information must be directed to that office.

## Additional Programs

### The Whistleblower Program

The Whistleblower Program helps maintain accountability and integrity in state government. It is a proven tool that protects employees. By working together, state government improves, and we increase the public's confidence in our work.

State agencies are legally responsible for providing their employees with an annual written summary of procedures for reporting assertions of improper governmental action under Chapter 42.40, the Whistleblower Act. Further information on the program may be found on the State Auditor's website, [sao.wa.gov](https://sao.wa.gov) under the Whistleblower Section. Whistleblower complaints may be submitted online at <https://portal.sao.wa.gov/saoportal/public/Whistleblower>.

# Definitions

## Criminal Acts

**Murder/Non-Negligent Manslaughter:** the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

**Negligent Manslaughter:** the killing of another person through gross negligence.

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

**Aggravated Assault:** an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned – including joy riding)

**Arson:** The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

**Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

**Drug Abuse Violations:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone's); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Liquor Law Violations:** The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition.)

*NOTE: The above listed crime definitions come from the Uniform Crime Reporting Handbook*

## Sex Offenses/Violence Against Woman Act (VAWA)

Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.

**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 the consent of the victim, including instances in which the victim is incapable of giving consent.

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

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

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

*The above listed crime definitions from the Uniform Crime Reporting Handbook, 2013 Revised UCR definition of Rape, as prescribed by 2014 VAWA Negotiated Rulemaking Final Consensus Language.*

## Hate Crimes

Peninsula College is also required to report statistics for hate (bias) related crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson (see definitions above) and larceny, vandalism, intimidation, and simple assault (see definitions below).

**Larceny:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Vandalism:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

**Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**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.

**Domestic violence, dating violence and stalking:** See definition below.

If a hate crime occurs where there is 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 compliance document.

A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of this bias against the victim's color, race, disability, ethnicity, gender, gender identity, religion, and sexual orientation.... the assault is then also classified as a hate/bias crime.

### Other Offenses

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. a) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. b) For the purpose of this definition, dating violence includes but is not limited to, sexual or physical abuse or the threat of such abuse and does not include acts covered under the definition of domestic violence.

**Domestic Violence:** A felony or misdemeanor crime of violence committed a) By a current or former spouse or intimate partner of the victim. b) By a person with whom the victim shares a child in common. c) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner. d) By a person similarly situated to the spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. e) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to a) Fear for the person's safety or the safety of others; or b) Suffer substantial emotional distress. For the purpose of this definition, *course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. A reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

\*\*\*Additions from 2014 VAWA Negotiated Rulemaking Final Consensus Language

### Reportable Crimes

The crimes reportable by calendar year and location where they occurred under the Clery Act are:

1. **Murder and Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
2. **Negligent Manslaughter:** The killing of another person through gross negligence.
3. **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. Simple assaults are excluded.

4. **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 another, etc.
5. **Burglary:** The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.
6. **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.
7. **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

### Clery Act Reportable Sex Offenses

8. **Rape:** The penetration, no matter how slight, of the vagina or anus with anybody part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
9. **Fondling:** The touching of the private body 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 of his/her age and/or because of his/her temporary or permanent mental incapacity.
10. **Incest:** Non forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
11. **Statutory Rape:** Non forcible sexual intercourse with a person who is under the statutory age of consent.
12. **Hate Crimes** A Hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Any of the following offenses motivated by bias are considered Hate crimes: Murder and Non-negligent Manslaughter, Negligent Manslaughter, Rape, Fondling, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, and Stalking.

### The following crimes are only included in crime statistics if they are Hate Crimes:

- a. **Larceny-theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- b. **Simple Assault:** An unlawful physical attack by one person on 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.
- c. **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or conduct, but without displaying a weapon or subjecting the victim to actual attack.
- d. **Destruction, damage, or vandalism of property:** To destroy willfully or maliciously, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of the property.

### Clery Hate Crimes Require a Bias

In order to count a crime as a Hate crime, the Clery Act requires evidence of bias. There are eight categories of bias under the Clery Act, which are:

- I) **Disability:** Pre-formed negative opinion or attitude toward a group of people based on their physical or mental impairments, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.
- II) **Ethnicity:** A pre-formed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.
- III) **Gender:** A pre-formed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- IV) **Gender Identity:** A pre-formed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
- V) **National Origin:** A pre-formed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.
- VI) **Race:** A pre-formed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
- VII) **Religion:** A pre-formed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
- VIII) **Sexual Orientation:** A pre-formed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person’s physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

### Violence Against Women Act (2013) Crimes

- A. **Domestic Violence:** A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- B. **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- C. **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person’s safety or the safety of others; or (2) 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. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. The reasonable person standard means a reasonable person under similar circumstances and with similar identities to the victim.

- D. **Clery Act Disciplinary Referral Data** for Violations of State Laws Regarding Alcohol, Drugs and Weapons. The Clery Act requires institutions collect statistics for violations of state law and ordinances for drug, alcohol, and weapons violations. The disciplinary referral data is collected from internal campus partners.

### Alcohol Law Violations

The violation of state laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition.)

### Weapons Possession

The violation of state laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

### Drug Abuse Violations

Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: Opium or Cocaine and their derivatives (Morphine, Heroin, Codeine); Marijuana; synthetic narcotics (Demerol, Methadone); and dangerous non-narcotic drugs (Barbiturates, Benzedrine).

### **Clery Act Arrest Data for Violations of State Laws Regarding Alcohol, Drugs and Weapons:**

The Clery Act requires institutions collect statistics for arrest data for violations of state law and or ordinances for drug, alcohol, and weapons laws. The arrest data is collected from internal public safety partners and law enforcement agencies with jurisdiction over institutional properties.

**Unfounded Crimes:** The Clery Act requires that institutions report in the Annual Security Report any Clery crime that occurred on Clery geography which was unfounded following an investigation by sworn law enforcement.

### **Clery Act Arrest Data for Violations of State Laws Regarding Alcohol, Drugs and Weapons.**

The Clery Act requires institutions to collect statistics for arrest data for violations of state law and ordinances for drug, alcohol, and weapons laws. The arrest data is collected from internal public safety partners and law enforcement agencies with jurisdiction over institutional properties. 18. Unfounded Crimes the Clery Act requires that institutions report in the Annual Security Report any Clery crime that occurred on Clery geography which was unfounded following an investigation by sworn law enforcement.

## Washington State Definitions

**Consent. RCW 9A.44.010.** (2) "Consent" means that at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

**Age of Consent.** The Washington Age of Consent is **16 years old**. In the United States, the age of consent is the minimum age at which an individual is considered legally old enough to consent to participation in sexual activity. Individuals aged 15 or younger in Washington are not legally able to consent to sexual activity, and such activity may result in prosecution for statutory rape.

Washington statutory rape law is violated when a person has consensual sexual intercourse with an individual under age 16. The age of consent is raised to 18 when the partners are a foster parent and foster child, when the older partner is at least 60 months older than their 16 or 17 year old partner and abuses their significant relationship(as defined by RCW 9A.44.010) to have sexual intercourse, or when the partners are teacher and student(this law was actually interpreted by the Washington State Supreme Court to extend to students up to 21 years old).

**Domestic Violence. RCW 26.50.010** (3) "**Domestic violence**" means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking as defined in RCW 9A.46.110 of one intimate partner by another intimate partner; or (b) physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member (6) "**Family or household members**" means: (a) Adult persons related by blood or marriage; (b) adult persons who are presently residing together or who have resided together in the past; and (c) persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren. (2) "**Dating relationship**" means a social relationship of a romantic nature. Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

**Rape in the first degree. RCW 9A.44.040.** (1) A person is guilty of rape in the first degree when such person engages in sexual intercourse with another person by forcible compulsion where the perpetrator or an accessory:(a) Uses or threatens to use a deadly weapon or what appears to be a deadly weapon; or(b) Kidnaps the victim; or(c) Inflicts serious physical injury, including but not limited to physical injury which renders the victim unconscious; or(d) Feloniously enters into the building or vehicle where the victim is situated.(2) Rape in the first degree is a class A felony.

**Rape in the second degree. RCW 9A.44.050.** (1) A person is guilty of rape in the second degree when, under circumstances not constituting rape in the first degree, the person engages in sexual intercourse with another person: (a) By forcible compulsion; (b) When the victim is incapable of consent by reason of being physically helpless or mentally incapacitated; (c) When the victim is a person with a developmental disability and the perpetrator is a person who is not married to the victim and who: (i) Has supervisory authority over the victim; or (ii) Was providing transportation, within the course of his or her employment, to the victim at the time of the offense; (d) When the perpetrator is a health care provider, the victim is a client or patient, and

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

**Rape in the third degree. RCW 9A.44.060.** (1) A person is guilty of rape in the third degree when, under circumstances not constituting rape in the first or second degrees, such person engages in sexual intercourse with another person: (a) Where the victim did not consent as defined in RCW 9A.44.010(7), to sexual intercourse with the perpetrator or (b) Where there is threat of substantial unlawful harm to property rights of the victim. (2) Rape in the third degree is a class C felony.

**Rape of a child in the first degree. RCW 9A.44.073.** (1) A person is guilty of rape of a child in the first degree when the person has sexual intercourse with another who is less than twelve years old, and the perpetrator is at least twenty-four months older than the victim. (2) Rape of a child in the first degree is a class A felony.

**Rape of a child in the second degree. RCW 9A.44.076.** (1) A person is guilty of rape of a child in the second degree when the person has sexual intercourse with another who is at least twelve years old but less than fourteen years old and the perpetrator is at least thirty-six months older than the victim. (2) Rape of a child in the second degree is a class A felony.

**Rape of a child in the third degree. RCW 9A.44.079.** (1) A person is guilty of rape of a child in the third degree when the person has sexual intercourse with another who is at least fourteen years old but less than sixteen years old and not married to the perpetrator and the perpetrator is at least forty-eight months older than the victim. (2) Rape of a child in the third degree is a class C felony.

**Child molestation in the first degree. RCW 9A.44.083.** (1) A person is guilty of child molestation in the first degree when the person has, or knowingly causes another person under the age of eighteen to have, sexual contact with another who is less than twelve years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim. (2) Child molestation in the first degree is a class A felony.

**Child molestation in the second degree. RCW 9A.44.086.** (1) A person is guilty of child molestation in the second degree when the person has, or knowingly causes another person under the age of eighteen to have, sexual contact with another who is at least twelve years old but less than fourteen years old and the perpetrator is at least thirty-six months older than the victim. (2) Child molestation in the second degree is a class B felony.

**Child molestation in the third degree. RCW 9A.44.089.** (1) A person is guilty of child molestation in the third degree when the person has, or knowingly causes another person under the age of eighteen to have, sexual contact with another who is at least fourteen years old but



less than sixteen years old and the perpetrator is at least forty-eight months older than the victim. (2) Child molestation in the third degree is a class C felony.

**Sexual misconduct with a minor in the first degree. RCW 9A.44.093.** (1) A person is guilty of sexual misconduct with a minor in the first degree when:(a) The person has, or knowingly causes another person under the age of eighteen to have, sexual intercourse with another person who is at least sixteen years old but less than eighteen years old, if the perpetrator is at least sixty months older than the victim, is in a significant relationship to the victim, and abuses a supervisory position within that relationship in order to engage in or cause another person under the age of eighteen to engage in sexual intercourse with the victim;(b) the person is a school employee who has, or knowingly causes another person under the age of eighteen to have, sexual intercourse with an enrolled student of the school who is at least sixteen years old and not more than twenty-one years old, if the employee is at least sixty months older than the student; or(c) the person is a foster parent who has, or knowingly causes another person under the age of eighteen to have, sexual intercourse with his or her foster child who is at least sixteen.(2) Sexual misconduct with a minor in the first degree is a class C felony.(3) For the purposes of this section:(a) "Enrolled student" means any student enrolled at or attending a program hosted or sponsored by a common school as defined in RCW 28A.150.020, or a student enrolled at or attending a program hosted or sponsored by a private school under chapter 28A.195 RCW, or any person who receives home-based instruction under chapter 28A.200 RCW.(b) "School employee" means an employee of a common school defined in RCW 28A.150.020, or a grade kindergarten through twelve employee of a private school under chapter 28A.195 RCW, who is not enrolled as a student of the common school or private school.

**Sexual misconduct with a minor in the second degree. RCW 9A.44.096.** (1) A person is guilty of sexual misconduct with a minor in the second degree when: (a) The person has, or knowingly causes another person under the age of eighteen to have, sexual contact with another person who is at least sixteen years old but less than eighteen years old, if the perpetrator is at least sixty months older than the victim, is in a significant relationship to the victim, and abuses a supervisory position within that relationship in order to engage in or cause another person under the age of eighteen to engage in sexual contact with the victim; (b) the person is a school employee who has, or knowingly causes another person under the age of eighteen to have, sexual contact with an enrolled student of the school who is at least sixteen years old and not more than twenty-one years old, if the employee is at least sixty months older than the student; or (c) the person is a foster parent who has, or knowingly causes another person under the age of eighteen to have, sexual contact with his or her foster child who is at least sixteen.(2) Sexual misconduct with a minor in the second degree is a gross misdemeanor.(3) For the purposes of this section:(a) "Enrolled student" means any student enrolled at or attending a program hosted or sponsored by a common school as defined in RCW [28A.150.020](#), or a student enrolled at or attending a program hosted or sponsored by a private school under chapter [28A.195](#) RCW, or any person who receives home-based instruction under chapter [28A.200](#) RCW.(b) "School employee" means an employee of a common school defined in RCW [28A.150.020](#), or a grade kindergarten through twelve employee of a private school under chapter [28A.195](#) RCW, who is not enrolled as a student of the common school or private school.

**Indecent liberties. RCW 9A.44.100.** (1) A person is guilty of indecent liberties when he or she knowingly causes another person to have sexual contact with him or her or another: (a) By



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

**Stalking. RCW 9A.46.110:** 1) A person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime: (a) He or she intentionally and repeatedly harasses or repeatedly follows another person; and (b) The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and (c) The stalker either: (i) Intends to frighten, intimidate, or harass the person; or (ii) Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person. 2) (a) It is not a defense to the crime of stalking under subsection (1)(c)(i) of this section that the stalker was not given actual notice that the person did not want the stalker to contact or follow the person; and (b) It is not a defense to the crime of stalking under subsection (1)(c)(ii) of this section that the stalker did not intend to frighten, intimidate, or harass the person. 3) It shall be a defense to the crime of stalking that the defendant is a licensed private investigator acting within the capacity of his or her license as provided by chapter 18.165 RCW. 4) Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitute prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person. 5) (a) Except as provided in (b) of this subsection, a person who stalks another person is guilty of a gross misdemeanor. (b) A person who stalks another is guilty of a class B felony if any of the following applies: (i) The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RCW 9A.46.060, of the same victim or members of the victim's family or household or any person specifically named in a protective order; (ii) the stalking violates any protective order protecting the person being stalked; (iii) the stalker has previously been convicted of a gross misdemeanor or felony stalking offense under this section for stalking another person; (iv) the stalker was armed with a deadly weapon, as defined in RCW 9.94A.825, while stalking the person; (v)(A) the stalker's victim is or was a law enforcement officer; judge; juror; attorney; victim advocate; legislator; community corrections' officer; an employee, contract staff person, or volunteer of a

correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare, or adult protective services division within the department of social and health services; and (B) the stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or (vi) the stalker's victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony. 6) As used in this section: (a) "Correctional agency" means a person working for the department of natural resources in a correctional setting or any state, county, or municipally operated agency with the authority to direct the release of a person serving a sentence or term of confinement and includes but is not limited to the department of corrections, the indeterminate sentence review board, and the department of social and health services. (b) "Follows" means deliberately maintaining visual or physical proximity to a specific person over a period of time. A finding that the alleged stalker repeatedly and deliberately appears at the person's home, school, place of employment, business, or any other location to maintain visual or physical proximity to the person is sufficient to find that the alleged stalker follows the person. It is not necessary to establish that the alleged stalker follows the person while in transit from one location to another. (c) "Harasses" means unlawful harassment as defined in RCW 10.14.020. (d) "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person. (e) "Repeatedly" means on two or more separate occasions.

**Mental incapacity** is that condition existing at the time of the offense which prevents a person from understanding the nature or consequences of the act of sexual intercourse whether that condition is produced by illness, defect, the influence of a substance or from some other cause.

**Physically helpless** means a person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.<sup>2</sup>

**Sexual contact** means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party.<sup>3</sup>

**Sexual assault** includes any of the following:

- Any intentional and unconsented touching, or threat or attempt thereof, of: (i) an intimate bodily part of another person, such as a sexual organ, buttocks, or breast; (ii) any bodily part of another person with a sexual organ; or (iii) any part of another person's body with the intent of accomplishing a sexual act; or
- Unwanted, inappropriate disrobing of another person or purposeful exposure of one's genitals to another without the other's consent; or
- Forcing, or attempting to force, any other person to engage in sexual activity of any kind without her or his consent.

## Washington Drug Laws

**RCW 46.61.502 & RCW 46.61.504:** Prohibits operating motor vehicle while under the influence of an intoxicating liquor or any drug. Discusses penalties and Alcohol Information School.

**RCW 46.61.517 & RCW 46.20.308:** Refusal of person to take alcohol test or drug concentration.

• Refusal of person to take alcohol test or drug concentration in the person's blood or breath is admissible in a court of law.

**RCW 66.24.481** Public Place or Club • No public place may keep liquor or permit its consumption unless authorized by a state banquet permit.

**RCW 66.44.100** Opening or Consuming Liquor in Public Place • Prohibits consuming liquor in a public place.

**RCW 66.44.200** Sales to Persons Apparently Under the Influence of Liquor • Prohibits the sale of any alcohol to a person apparently under the influence of liquor.

**RCW 66.44.270** Furnishing Liquor to Minors— Possession, Use • Prohibits the sale or supply of liquor to a minor and prohibits anyone from permitting a minor to consume liquor on premises under that person's control. • Prohibits minors from possessing, consuming, or otherwise acquiring any liquor. (At the College, it is also contrary to the alcohol policy to furnish or permit alcohol to be served to persons who are intoxicated.)

**RCW 66.44.290** Minors Purchasing • Prohibits anyone under age 21 from purchasing or attempting to purchase alcohol.

**RCW 66.44.310** Misrepresenting Age • Prohibits using a false identification card or misrepresenting a person's age.

**RCW 66.44.325 & RCW 66.44.328** False Identification • Prohibits the use and manufacture of false ID cards.

**RCW 66.44.370** Resisting Arrest • Prohibits anyone from resisting arrest by a law enforcement official.

**RCW 69.41.340** Steroid Use by Student Athletes • Prohibits the use of steroids by student athletes. • Announces loss of eligibility for use.

**RCW 69.41.350** Penalties of possessing • Penalties of possessing under 200 tablets or eight 2 cc bottles of steroid without a valid prescription (gross misdemeanor) or over 200 tablets or eight 2 cc bottles of steroid without a valid prescription (Class C Felony)

**RCW 69.50.401** Prohibited Acts: A – Penalties • Prohibits the manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance. Any person in violation with respect to: (i) a Schedule I or II narcotic is guilty of a crime and upon conviction may be imprisoned for up to 10 years. If the crime involved less than two kilograms of the drug, fined up to \$25,000; or if the crime involved two or more kilograms of the drug, then fined up to \$100,000 for the first two kilograms and up to \$50 for each additional gram. • The sentence may include both imprisonment and fine, (ii) any other Schedule I, II, III substance is guilty of a crime and may be imprisoned for up to five years, fined up to \$10,000 or both. Nor may anyone be in possession of a controlled substance unless it was obtained through a valid prescription from a practitioner. Any person found guilty of possession of 40 grams or less of marijuana shall be guilty of a misdemeanor.

**RCW 69.50.406** Distribution to Persons Under Age 18 • Anyone 18 years of age or over who distributes a controlled substance that is a narcotic drug to a person under 18 is punishable by the fine and/or imprisonment of up to twice that authorized by RCW 69.50.401 (a) (1)(i) RCW 69.50.408 Second or Subsequent Offenses • Second or subsequent offenses are punishable by twice the imprisonment and/or fine that is otherwise authorized.

**RCW 69.50.410** Prohibited Acts: D - Penalties • Prohibits the sale for profit of any controlled substance or counterfeit substance classified in Schedule I, RCW 69.50.204 except leaves and flowering tops of marijuana. • Any person convicted of this subsection shall receive a sentence of up to five years in prison for the first offense, or a mandatory sentence of five years in prison for a subsequent offense and no judge may suspend or defer the second sentence. • Violation of this subsection by selling heroin is punishable by a mandatory sentence of two years in prison and no judge of any court shall suspend or defer the sentence. Any person convicted on a second or subsequent sale of heroin shall receive a mandatory sentence of 10 years in prison and no judge shall suspend or defer the second sentence. • In addition to the sentences provided, any person convicted of a violation of this subsection shall be fined in an amount calculated to at least elimination and all proceeds of profits gained by such person as a result of sales of controlled substances, up to the amount of \$500,000 on each count.

**RCW 69.50.412** Prohibited Acts: E - Penalties • Prohibits the use of drug paraphernalia to plant, grow, harvest, manufacture, produce, prepare, test, store, or introduce into the human body a controlled substance. Any person who violates this section is guilty of a misdemeanor. Prohibits the delivery, possession with intent to deliver, or manufacture with intent to deliver drug paraphernalia to a person less than 18 years of age who is at least three years of age his junior is guilty of a gross misdemeanor. Any person 18 years of age or over who violates this subsection by delivering drug paraphernalia to a person less than 18 years of age who is at least three years of age his junior is guilty of a gross misdemeanor.

**RCW 69.50.420** Violations – Juvenile Driving Privileges • If a juvenile between 13 and 21 is convicted of a violation of this chapter, the court shall notify the Department of Licensing within 24 hours after the entry of the judgment.

**RCW 69.50.430** Additional Fine for Certain Felony Violations • Every person convicted of possessing, delivering, manufacturing, or selling a controlled substance shall, for a first offense, be fined \$1,000 in addition to any other fine or penalty imposed. Persons found guilty of a second or subsequent offense shall receive a mandatory \$2,000 fine. Unless the court finds the person to be indigent, this additional fine shall not be suspended or deferred by the court.

**RCW 69.52.030** Violations-Exceptions (1) It is unlawful for any person to manufacture, distribute, or possess with intent to distribute, an imitation controlled substance. Any person who violates this subsection shall, upon conviction, be guilty of a class C felony.

#### **Federal Drug Laws Sanctions for possession and trafficking of controlled substances under Title 21 United States Code (USC) Controlled Substances Act:**

**21 U.S.C. 844 (a)** • Any individual who knowingly possesses a controlled substance that is listed in section 841(b)(1)(A) of this title in violation of section 844 of this title in an amount that, as specified by regulation of the Attorney General, is a personal use amount shall be liable to the United States for a civil penalty in an amount not to exceed \$10,000 for each such violation.

**21 U.S.C. 853 (A) (2) and 21 U.S.C. 881 (a) (4) and 21 U.S.C. 881 (a) (7)** • Forfeiture and property used to possess a controlled substance if the offense is punishable by more than one year imprisonment Forfeiture of vehicles, boats, or aircraft used to transport or conceal a controlled substance. Civil fine of up to \$10,000.

**21 U.S.C. 853a and 18 U.S.C. 922 (g)** and prosecutions under **18 U.S.C. 922 (g)(8)** • Denial of Federal benefits, such as student loans, grants, contracts, and licenses, up to 1 year for first offense, up to 5 years for subsequent offenses. Revocation of Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are within the authority of some Federal agencies. Ineligible to receive or purchase a firearm.

## **§ 701 CHAPTER 10—DRUG-FREE WORKPLACE** from 1998

Sec. 701. Drug-free workplace requirements for Federal contractors. 702. Drug-free workplace requirements for Federal grant recipients. 703. Employee sanctions and remedies. 704. Waiver. 705. Regulations. 706. Definitions. 707. Construction of chapter. § 701. Drug-free workplace requirements for Federal contractors (a) Drug-free workplace requirement (1) Requirement for persons other than individuals No person, other than an individual, shall be considered a responsible source, under the meaning of such term as defined in section 403(8) of this title, for the purposes of being awarded a contract for the procurement of any property or services of a value greater than the simplified acquisition threshold (as defined in section 403(11) of this title) by any Federal agency, other than a contract for the procurement of commercial items (as defined in section 403(12) of this title), unless such person agrees to provide a drug-free workplace by— (A) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the person's workplace and specifying the actions that will be taken against employees for violations of such prohibition; (B) establishing a drug-free awareness program to inform employees about— (i) the dangers of drug abuse in the workplace; (ii) the person's policy of maintaining a drug-free workplace; (iii) any available drug counseling, rehabilitation, and employee assistance programs; and (iv) the penalties that may be imposed upon employees for drug abuse violations; (C) making it a requirement that each employee to be engaged in the performance of such contract be given a copy of the statement required by subparagraph (A); (D) notifying the employee in the statement required by subparagraph (A), that as a condition of employment on such contract, the employee will— (i) abide by the terms of the statement; and (ii) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction; (E) notifying the contracting agency within 10 days after receiving notice under subparagraph (D)(ii) from an employee or otherwise receiving actual notice of such conviction; (F) imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is so convicted, as required by section 703 of this title; and (G) making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs (A), (B), (C), (D), (E), and (F). (2) Requirement for individuals No Federal agency shall enter into a contract with an individual unless such individual agrees that the individual will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the performance of the contract. (b) Suspension, termination, or debarment of contractor (1) Grounds for suspension, termination, or debarment Each contract awarded by a Federal agency shall be subject to suspension of payments under the contract or termination of the contract, or both, and the contractor thereunder or the individual who entered the contract with the Federal agency, as applicable, shall be subject to suspension or debarment in accordance with the requirements of this section if the head of the agency determines that— (A) the contractor violates the requirements of subparagraph (A), (B), (C), (D), (E), or (F) of subsection (a)(1) of

this section; or (B) such a number of employees of such contractor have been convicted of violations of criminal drug statutes for violations occurring in the workplace as to indicate that the contractor has failed to make a good faith effort to provide a drug-free workplace as required by subsection (a) of this section. (2) Conduct of suspension, termination, and debarment proceedings (A) If a contracting officer determines, in writing, that cause for suspension of payments, termination, or suspension or debarment exists, an appropriate action shall be initiated by a contracting officer of the agency, to be conducted by the agency concerned in accordance with the Federal Acquisition Regulation and applicable agency procedures. (B) The Federal Acquisition Regulation shall be revised to include rules for conducting suspension and debarment proceedings under this subsection, including rules providing notice, opportunity to respond in writing or in person, and such other procedures as may be necessary to provide a full and fair proceeding to a contractor or individual in such proceeding. (3) Effect of debarment Upon issuance of any final decision under this subsection requiring debarment of a contractor or individual, such contractor or individual shall be ineligible for award of any contract by any Federal agency, and for participation in any future procurement by any Federal agency, for a period specified in the decision, not to exceed 5 years. (Pub. L. 100–690, title V, §5152, Nov. 18, 1988, 102 Stat. 4304; Pub. L. 103–355, title IV, §4104(d), title VIII, §8301(f), Oct. 13, 1994, 108 Stat. 3342, 3397; Pub. L. 104–106, div. D, title XLIII, §§4301(a)(3), 4321(i)(13), Feb. 10, 1996, 110 Stat. 656, 677.) § 702 TITLE 41—PUBLIC CONTRACTS Page 176 AMENDMENTS 1996— Subsec. (a)(1). Pub. L. 104–106, §4321(i)(13), substituted “(as defined in section 403(12) of this title)” for “as defined in section 403 of this title” in introductory provisions. Pub. L. 104–106, §4301(a)(3)(A), substituted “agrees to” for “has certified to the contracting agency that it will” in introductory provisions. Subsec. (a)(2). Pub. L. 104–106, §4301(a)(3)(B), substituted “individual agrees” for “contract includes a certification by the individual”. Subsec. (b)(1). Pub. L. 104–106, §4301(a)(3)(C), redesignated subpar. (B) as (A), struck out “such certification by failing to carry out” after “contractor violates”, redesignated subpar. (C) as (B), and struck out former subpar. (A) which read as follows: “the contractor or individual has made a false certification under subsection (a) of this section;”. 1994—Subsec. (a)(1). Pub. L. 103–355 substituted “greater than the simplified acquisition threshold (as defined in section 403(11) of this title) by any Federal agency, other than a contract for the procurement of commercial items as defined in section 403 of this title,” for “of \$25,000 or more from any Federal agency” in introductory provisions. EFFECTIVE DATE OF 1996 AMENDMENT For effective date and applicability of amendment by Pub. L. 104–106, see section 4401 of Pub. L. 104–106, set out as a note under section 251 of this title. EFFECTIVE DATE OF 1994 AMENDMENT For effective date and applicability of amendment by Pub. L. 103–355, see section 10001 of Pub. L. 103–355, set out as a note under section 251 of this title. EFFECTIVE DATE Section 5160 of Pub. L. 100–690 provided that: “Sections 5152 and 5153 [enacting this section and section 702 of this title] shall be effective 120 days after the date of the enactment of this subtitle [Nov. 18, 1988].” SHORT TITLE Section 5151 of Pub. L. 100–690 provided that: “This subtitle [subtitle D (§§5151–5160) of title V of Pub. L. 100–690, enacting this chapter] may be cited as the ‘Drug-Free Workplace Act of 1988’.” CONSISTENCY OF REGULATIONS WITH INTERNATIONAL OBLIGATIONS OF UNITED STATES; EXTRATERRITORIAL APPLICATION Section 4804 of Pub. L. 100–690 required that regulations promulgated by agency heads be consistent with international obligations of United States, prior to repeal by Pub. L. 103–447, title I, §103(b), Nov. 2, 1994, 108 Stat. 4693. § 702. Drug-free workplace requirements for Federal grant recipients (a) Drug-free workplace requirement (1) Persons other than individuals No person, other than an individual, shall receive a grant from any Federal agency unless such person agrees to provide

a drug-free workplace by— (A) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the grantee’s workplace and specifying the actions that will be taken against employees for violations of such prohibition; (B) establishing a drug-free awareness program to inform employees about— (i) the dangers of drug abuse in the workplace; (ii) the grantee’s policy of maintaining a drug-free workplace; (iii) any available drug counseling, rehabilitation, and employee assistance programs; and (iv) the penalties that may be imposed upon employees for drug abuse violations; (C) making it a requirement that each employee to be engaged in the performance of such grant be given a copy of the statement required by subparagraph (A); (D) notifying the employee in the statement required by subparagraph (A), that as a condition of employment in such grant, the employee will— (i) abide by the terms of the statement; and (ii) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction; (E) notifying the granting agency within 10 days after receiving notice of a conviction under subparagraph (D)(ii) from an employee or otherwise receiving actual notice of such conviction; (F) imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is so convicted, as required by section 703 of this title; and (G) making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs (A), (B), (C), (D), (E), and (F). (2) Individuals No Federal agency shall make a grant to any individual unless such individual agrees as a condition of such grant that the individual will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in conducting any activity with such grant. (b) Suspension, termination, or debarment of grantee (1) Grounds for suspension, termination, or debarment Each grant awarded by a Federal agency shall be subject to suspension of payments under the grant or termination of the grant, or both, and the grantee thereunder shall be subject to suspension or debarment, in accordance with the requirements of this section if the agency head of the granting agency or his official designee determines, in writing, that— (A) the grantee violates the requirements of subparagraph (A), (B), (C), (D), (E), (F), or (G) of subsection (a)(1) of this section; or (B) such a number of employees of such grantee have been convicted of violations of criminal drug statutes for violations occurring in the workplace as to indicate that the grantee has failed to make a good faith effort to provide a drug-free workplace as required by subsection (a)(1) of this section. (2) Conduct of suspension, termination, and debarment proceedings A suspension of payments, termination, or suspension or debarment proceeding subject to Page 177 TITLE 41—PUBLIC CONTRACTS § 706 this subsection shall be conducted in accordance with applicable law, including Executive Order 12549 or any superseding Executive order and any regulations promulgated to implement such law or Executive order. (3) Effect of debarment Upon issuance of any final decision under this subsection requiring debarment of a grantee, such grantee shall be ineligible for award of any grant from any Federal agency and for participation in any future grant from any Federal agency for a period specified in the decision, not to exceed 5 years. (Pub. L. 100–690, title V, §5153, Nov. 18, 1988, 102 Stat. 4306; Pub. L. 105–85, div. A, title VIII, §809, Nov. 18, 1997, 111 Stat. 1838.) REFERENCES IN TEXT Executive Order 12549, referred to in subsec. (b)(2), is set out as a note under section 6101 of Title 31, Money and Finance. AMENDMENTS 1997—Subsec. (a)(1). Pub. L. 105–85, §809(1)(A), substituted “agrees to” for “has certified to the granting agency that it will” in introductory provisions. Subsec. (a)(2). Pub. L. 105–85, §809(1)(B), substituted “agrees” for “certifies to the agency”. Subsec. (b)(1)(A). Pub. L. 105–85, §809(2)(C), struck out “such certification by failing to carry out” after “violates”. Pub. L. 105–85, §809(2)(A),



(B), redesignated subpar. (B) as (A) and struck out former subpar. (A) which read as follows: “the grantee has made a false certification under subsection (a) of this section;”. Subsec. (b)(1)(B), (C). Pub. L. 105–85, §809(2)(B), redesignated subpars. (B) and (C) as (A) and (B), respectively. EFFECTIVE DATE Section effective 120 days after Nov. 18, 1988, see section 5160 of Pub. L. 100–690, set out as a note under section 701 of this title. § 703. Employee sanctions and remedies A grantee or contractor shall, within 30 days after receiving notice from an employee of a conviction pursuant to section 701(a)(1)(D)(ii) or 702(a)(1)(D)(ii) of this title— (1) take appropriate personnel action against such employee up to and including termination; or (2) require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency. (Pub. L. 100–690, title V, §5154, Nov. 18, 1988, 102 Stat. 4307.) § 704. Waiver (a) In general A termination, suspension of payments, or suspension or debarment under this chapter may be waived by the head of an agency with respect to a particular contract or grant if— (1) in the case of a waiver with respect to a contract, the head of the agency determines under section 701(b)(1) of this title, after the issuance of a final determination under such section, that suspension of payments, or termination of the contract, or suspension or debarment of the contractor, or refusal to permit a person to be treated as a responsible source for a contract, as the case may be, would severely disrupt the operation of such agency to the detriment of the Federal Government or the general public; or (2) in the case of a waiver with respect to a grant, the head of the agency determines that suspension of payments, termination of the grant, or suspension or debarment of the grantee would not be in the public interest. (b) Exclusive authority The authority of the head of an agency under this section to waive a termination, suspension, or debarment shall not be delegated. (Pub. L. 100–690, title V, §5155, Nov. 18, 1988, 102 Stat. 4307.) § 705. Regulations Not later than 90 days after November 18, 1988, the governmentwide regulations governing actions under this chapter shall be issued pursuant to the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.). (Pub. L. 100–690, title V, §5156, Nov. 18, 1988, 102 Stat. 4308.) REFERENCES IN TEXT The Office of Federal Procurement Policy Act, referred to in text, is Pub. L. 93–400, Aug. 30, 1974, 88 Stat. 796, as amended, which is classified principally to chapter 7 (§401 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 401 of this title and Tables. § 706. Definitions For purposes of this chapter— (1) the term “drug-free workplace” means a site for the performance of work done in connection with a specific grant or contract described in section 701 or 702 of this title of an entity at which employees of such entity are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of this Act; (2) the term “employee” means the employee of a grantee or contractor directly engaged in the performance of work pursuant to the provisions of the grant or contract described in section 701 or 702 of this title; (3) the term “controlled substance” means a controlled substance in schedules I through V of section 812 of title 21; (4) the term “conviction” means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes; (5) the term “criminal drug statute” means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance; (6) the term “grantee” means the department, division, or other unit of a person responsible for the performance under the grant; (7) the term “contractor” means the department, division, or other unit of a person re- § 707 TITLE 41—PUBLIC CONTRACTS Page 178 sponsible for the performance under the contract; and (8) the term “Federal agency” means

an agency as that term is defined in section 552(f) of title 5. (Pub. L. 100–690, title V, §5157, Nov. 18, 1988, 102 Stat. 4308.) REFERENCES IN TEXT This Act, referred to in par. (1), is Pub. L. 100–690, Nov. 18, 1988, 102 Stat. 4181, known as the Anti-Drug Abuse Act of 1988. For complete classification of this Act to the Code, see Short Title note set out under former section 1501 of Title 21, Food and Drugs, and Tables. § 707. Construction of chapter Nothing in this chapter shall be construed to require law enforcement agencies, if the head of the agency determines it would be inappropriate in connection with the agency’s undercover operations, to comply with the provisions of this chapter. (Pub. L. 100–690, title V, §5158, Nov. 18, 1988, 102 Stat. 4308.)

# Acronyms and Definitions

<b>C.A.R.E.</b>	Concern, Assess, Respond, Evaluate
<b>Clery Act</b>	Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Clery Geography On-campus, on-campus student housing, public property and non-campus
<b>CSA</b>	Campus Security Authority
<b>DFSCA</b>	Drug Free Schools and Communities Act
<b>DVSAS</b>	Domestic Violence & Sexual Assault Services
<b>DCL</b>	Daily Crime Log
<b>HR</b>	Human Resources
<b>NIMS/ICS</b>	National Incident Management System/Incident Command System
<b>PC ALERT</b>	Peninsula College alerts regarding campus safety
<b>OEI</b>	Office of Equity & Inclusion
<b>PC</b>	Peninsula College
<b>THIRA</b>	Threat Hazard Identification and Risk Assessment
<b>Title IX</b>	Title IX is the most commonly used name for the federal civil rights law in the United States that was enacted as part (Title IX) of the Education Amendments of 1972. It prohibits sex-based discrimination in any school or any other education program that receives funding from the federal government. This is Public Law No. 92-318, 86 Stat. 235 (June 23, 1972), codified at 20 U.S.C. §§ 1681–1688.
<b>TW</b>	Timely Warning Notification: Required by the Clery Act if a Clery crime occurs on property owned or controlled by the institution and presents a threat to the community.
<b>ENS</b>	Emergency Notification System An emergency notification system ( <b>ENS</b> ) is a communication platform used to quickly notify users in critical situations. An ENS lets us simultaneously deliver messages via multiple channels such as text, voice, and email.
<b>UCR</b>	The Uniform Crime Reporting (UCR) Program generates reliable statistics for use in law enforcement. It also provides information for students of criminal justice, researchers, the media, and the public. The program has been providing crime statistics since 1930.
<b>USDOE</b>	United States Department of Education.
<b>VAWA</b>	Violence Against Women Act (2013, 2022)

# Annual Security & Fire Safety Report

## Appendix

### Supplemental Information – Website links

Appendix #	Description	Website	Page #
1	Peninsula College Campus Crime Statistics	<a href="#">Campus Crime Statistics   Peninsula College (pencol.edu)</a>	Page 20, 21
2	PC Cares Report	<a href="#">PC Cares Report   Peninsula College Advocate System (symplicity.com)</a>	Page 21, 29, 30, 56, 60, 76, 77, 78, 81, 82
3	Student Government (ASC)	<a href="#">Student Government (ASC)   Peninsula College (pencol.edu)</a>	Page 22
4	PC Alert Me	<a href="#">PC Alert Me - Formstack</a>	Page 22
5	PC Website	<a href="#">Peninsula College (pencol.edu)</a>	Page 30
6	PC Daily Crime & Fire Log	<a href="#">Daily Crime &amp; Fire Log   Peninsula College (pencol.edu)</a>	Page 31, 32
7	PC Policies & Procedures	<a href="#">PolicyTech - Browse (navexone.com)</a>	Page 48
8	Drug Free Workplace Act 1988	<a href="#">Drug-Free Workplace Act of 1988</a>	Page 50
9	Drug-Free Schools and Community Act 1989 (DFSCA)	<a href="#">H.R.3614 - 101st Congress (1989-1990): Drug-Free Schools and Communities Act Amendments of 1989   Congress.gov   Library of Congress</a>	Page 50
10	Furnishing liquor to minors— Possession, use— Penalties— Exhibition of effects—Exceptions.	<a href="#">RCW 66.44.270: Furnishing liquor to minors—Possession, use—Penalties—Exhibition of effects—Exceptions. (wa.gov)</a>	Page 51
11	Code Student Rights and Responsibilities	<a href="#">PC Student Rights and Responsibilities 8-2024.pdf (pencol.edu):</a>	Page 53, 70, 82
12	Discrimination and Anti-Harassment Procedures 501.01	<a href="#">Non-Discrimination and Anti-Harassment Procedure v.2 (navexone.com)</a>	Page 55
13	Discrimination and Anti-Harassment Procedures 501.03	<a href="#">Supplemental Title IX Employee Disciplinary Hearing Procedure v.1 (navexone.com)</a>	Page 55
14	PC Registered Sex Offender Procedure 525.03	<a href="#">Notification of Registered Sex and Kidnapping Offenders v.1 (navexone.com)</a>	Page 56, 69, 70, 71

15	Safe environment Board Policy 525	<a href="http://navexone.com">Safe Environment v.1 (navexone.com)</a>	Page 70
16	Resources for Student and Employees	<a href="#">Welcome! - Local Resources List - LibGuides at Peninsula College</a>	Page 76, 78, 81
17	Reasonable Accommodations 505.01	<a href="http://navexone.com">Reasonable Accommodation / Academic Adjustment for Individuals with Disabilities v.1 (navexone.com)</a>	Page 79
18	Visa and Immigration Assistance	<a href="http://pencol.edu">International Programs   Peninsula College (pencol.edu)</a>	Page 79
19	Financial Aid	<a href="http://pencol.edu">Financial Aid Office   Peninsula College (pencol.edu)</a>	Page 80
20	Emergency Funding for PC Students	<a href="http://pencol.edu">Emergency Funding (pencol.edu)</a>	Page 81
21	Drug & Alcohol – Free Workplace Policy 211	<a href="http://navexone.com">Drug and Alcohol-Free Workplace Policy v.1 (navexone.com)</a>	Page 82
22	Drugs, Alcohol, Tobacco Policy 518	<a href="http://navexone.com">Drugs, Alcohol and Tobacco on College Facilities v.1 (navexone.com)</a>	Page 82
23	Use of Alcohol on College Procedure 518.02	<a href="http://navexone.com">Use of Alcohol on College Facilities v.1 (navexone.com)</a>	Page 82
24	Wraparound Services	<a href="http://pencol.edu">Wraparound Services   Peninsula College (pencol.edu)</a>	Page 82

# Appendix 1

## Campus Crime Statistics

### Campus Crime Statistics

Peninsula College strives to provide a safe environment for students, faculty, staff and visitors that is supportive of education and the daily operations of campus facilities. In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, you can view three years of the most currently available safety and security related statistical data.

The report contains information regarding campus safety and security including topics such as: crime reporting policies; campus alerts (Timely Warnings and Emergency Notifications); fire safety policies and procedures; programs to prevent dating violence, domestic violence, sexual assault and stalking; the procedures the College will follow when one of these crimes is reported; and other matters of importance related to security on campus.

### **Marty Martinez**

Director of Emergency Management & Campus Public Safety  
(360) 417-6559

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This Peninsula College 2023-2024 Annual Security & Fire Safety Report is published in compliance with the Jeanne Clery Disclosure Act of Campus Security and Campus Crime Statistics Act ("Clery Act"), and Violence Against Women Act (VAWA). This report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Peninsula College; and on public property within, or immediately adjacent to and accessible from the College property. The report also contains fire statistics for any fires occurring in an On-Campus Student Housing Facility during the three most recent calendar years. The Peninsula College Annual Security & Fire Safety Report is available below.

For full details and descriptions, please [visit the Department of Education's Campus Safety and Security Data Analysis Cutting Tool](#). This analysis cutting tool was designed to provide rapid customized reports for public inquiries relating to campus crime and fire data. The data are drawn from the OPE Campus Safety and Security Statistics website database to which crime statistics and fire statistics (as of the 2010 data collection) are submitted annually, via a web-based data collection, by all postsecondary institutions that receive Title IV funding (i.e., those that participate in federal student aid programs). This data collection is required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Higher Education Opportunity Act.

If you would like to receive a paper copy of the Annual Security Report & Fire Safety Report, you can stop by the Campus Security Office at 1502 East Lauridsen Blvd, Room J25, or you can request that copy via e-mail at [campussafety@pencol.edu](mailto:campussafety@pencol.edu) or by calling (360) 417-6559.

# Appendix 2

## PC Cares Report

### PENINSULA COLLEGE - PC Cares Report

Please use this form to provide as much detail as possible about the accident, illness, incident, behavior concern, or crime you are reporting.

If you are not sure what report type to submit, please select "C.A.R.E Team" and our C.A.R.E. (Concern, Assess, Respond, Evaluate) Team will review your report in a timely manner and will make sure it gets to the correct person. This information is private and you, the reporter, may remain anonymous.

If you have any questions about this form, please contact Trisha Haggerty at (360) 417-6201 or [thaggerty@pencol.edu](mailto:thaggerty@pencol.edu).

You can find information regarding the Peninsula College Student Conduct Code on PC's website: <http://pencol.edu/student-rights-policies-and-procedures/code-student-rights-responsibilities>

For more information regarding the Peninsula College Antiharassment and Nondiscrimination policy and procedure please visit:

<http://www.pencol.edu/student-rights-policies-and-procedures/antiharassment-and-nondiscrimination-title-ix>

\* indicates a required field

### Reporter Type

I am reporting...Required \*

Please indicate the nature of your concern.



# Appendix 3

## Student Government (ASC)

### Meet your 2024-25 ASC

The 2024-25 ASC President is Gemma Rowland. Her team includes: Amelie Mantchev (VP of Programming), Jason Peters (VP), Makena Patrick (Director of Environmental Affairs), Caleb Rollo (Director of Clubs), Katherine Gould (Director of Records & Finance), Cecily Sangale (Director of Diversity, Equity & Inclusion), Anna Petty (Director of College & Community Affairs), Isis-Jade Bryant (Director of Recreation), Lexi Mackey (Director of Event Planning), Konrad Mueller (Director of Event Facilitation), Jelissa Julmist (Director of Public Relations), Grace Windergren (Director of Marketing).

### ASC Meetings

The ASC meets weekly at 8:15 a.m. on Tuesdays (when the college is open). The meetings are open public meetings. If you are a club member or student with an agenda item or someone who simply wants to observe the meeting, please contact us to get on our agenda at [asc@pencol.edu](mailto:asc@pencol.edu).

It is common to have openings on the ASC throughout the course of the year. For more information on those opportunities, please contact ASC Advisor Rick Ross at 360-417-6533 or [rross@pencol.edu](mailto:rross@pencol.edu).

The ASC's primary function is to develop the student budget and to oversee student activities and programs, including concerts, dances, child care, clubs, athletics, recreation, field trips, etc. See ASC Budget below. The ASC's purpose, as stated in the ASC Constitution is as follows: "It shall be the purpose of the student body of Peninsula College to provide and maintain a unity and harmony among students, to establish a favorable relationship between the student body and the community, and to bring about an active student participation in college affairs."

# Appendix 4

## PC ALERT ME

Be prepared for the unexpected! Opt In to PC ALERT ME and receive up-to-the-minute information via phone, e-mail and/or text in the event of an unforeseen emergency, such as a possible college closures.

### Name\*

First Name

Last Name

### Cell Phone

Your cell phone will receive both a text and voice message (or a voice mail message if not answered).

### Home Phone

Your home number will receive a voice message (or a voice mail message if not answered).

### Email

#### Please choose\*

Please choose Required field

Student

Staff

Faculty

Non-Student

#### Please choose a location:\*

Please choose a location: Required field

Port Angeles Main Campus

Forks Campus


Port Townsend Campus

Sequim Extension Site


# Appendix 5


Student Portal Login Faculty/Staff Directory Contact Us

About PC Community Ed International Give Today Athletics Programs A-Z Current Students

 PENINSULA COLLEGE

Enroll ▾ Learn ▾ Thrive ▾






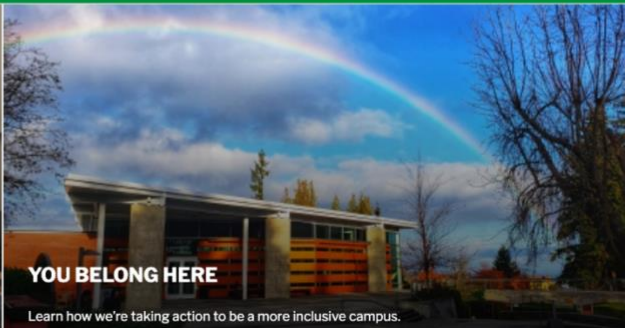
**Fall Classes Begin Monday, Sept. 23!**  
Last day to register is September 22.

EXPLORE OUR AREAS OF STUDY →

**STAY UP TO DATE WITH PENINSULA COLLEGE EVENTS**




**WORLD-CLASS FACULTY**  
Meet our outstanding faculty members who care about the success of their students.



**YOU BELONG HERE**  
Learn how we're taking action to be a more inclusive campus.

<https://pencol.edu/admissions>



# Appendix 6


## Daily Crime & Fire Log

Reports are shown for the last 60 days

**No reports at this time.**

**Last updated: 9/12/2024**

# Appendix 7


PENINSULA COLLEGE

Peninsula College  
Policies & Procedures

Documents

Search

Browse


### Browse

Site: Peninsula College
Status: Published

Departments

Find...

	Type	Ver #	Title	Status	Ref #	Actions
● [All]						
● Board (1)						
● General (56)						
● Human Resources/DEI (8)						
● Instruction (13)						
● Personnel (60)						
● President's Office (25)						
● Student Services (48)						
		1	Abused and Neglected Child Reporting	Published	525.04	...
		2	Academic Credit for Prior Learning (ACPL)	Published	415	...
		1	Academic Freedom	Published	301	...
		1	Academic Honesty	Published	426	...
		1	Academic Honors	Published	419	...
		1	Academic Policies and Procedures	Published	310	...
		2	Academic Progress and Performance	Published	421	...
		2	Academic Progress and Performance	Published	421.01	...
		1	Acceptance of Gifts	Published	151	...
		1	Access to Education Records	Published	407.01	...
		1	Accessibility of Material	Published	321.03	...
		2	Administrative Policy/Procedure Review Committee	Published	150.03	...
		1	Administrative/Exempt Bereavement Leave	Published	289.03	...
		1	Administrative/Exempt Civil Duty Leave	Published	289.04	...



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 [Terms of Use](#) | 
 [Policy Share](#) | 
 [About](#)

## Appendix 8

Page 175 TITLE 41—PUBLIC CONTRACTS § 701 CHAPTER 10—DRUG-FREE WORKPLACE Sec. 701. Drug-free workplace requirements for Federal contractors. 702. Drug-free workplace requirements for Federal grant recipients. 703. Employee sanctions and remedies. 704. Waiver. 705. Regulations. 706. Definitions. 707. Construction of chapter. § 701. Drug-free workplace requirements for Federal contractors (a) Drug-free workplace requirement (1) Requirement for persons other than individuals No person, other than an individual, shall be considered a responsible source, under the meaning of such term as defined in section 403(8) of this title, for the purposes of being awarded a contract for the procurement of any property or services of a value greater than the simplified acquisition threshold (as defined in section 403(11) of this title) by any Federal agency, other than a contract for the procurement of commercial items (as defined in section 403(12) of this title), unless such person agrees to provide a drug-free workplace by— (A) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the person’s workplace and specifying the actions that will be taken against employees for violations of such prohibition; (B) establishing a drug-free awareness program to inform employees about— (i) the dangers of drug abuse in the workplace; (ii) the person’s policy of maintaining a drug-free workplace; (iii) any available drug counseling, rehabilitation, and employee assistance programs; and (iv) the penalties that may be imposed upon employees for drug abuse violations; (C) making it a requirement that each employee to be engaged in the performance of such contract be given a copy of the statement required by subparagraph (A); (D) notifying the employee in the statement required by subparagraph (A), that as a condition of employment on such contract, the employee will— (i) abide by the terms of the statement; and (ii) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction; (E) notifying the contracting agency within 10 days after receiving notice under subparagraph (D)(ii) from an employee or otherwise receiving actual notice of such conviction; (F) imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is so convicted, as required by section 703 of this title; and (G) making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs (A), (B), (C), (D), (E), and (F). (2) Requirement for individuals No Federal agency shall enter into a contract with an individual unless such individual agrees that the individual will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the performance of the contract. (b) Suspension, termination, or debarment of contractor (1) Grounds for suspension, termination, or debarment Each contract awarded by a Federal agency shall be subject to suspension of payments under the contract or termination of the contract, or both, and the contractor thereunder or the individual who entered the contract with the Federal agency, as applicable, shall be subject to suspension or debarment in accordance with the requirements of this section if the head of the agency determines that— (A) the contractor violates the requirements of subparagraph (A), (B), (C), (D), (E), or (F) of subsection (a)(1) of this section; or (B) such a number of employees of such contractor have been convicted of violations of criminal drug statutes for violations occurring in the workplace as to indicate that the contractor has failed to make a good faith effort to provide a drug-free workplace as required by subsection (a) of this section. (2) Conduct of suspension, termination, and debarment proceedings (A) If a contracting officer determines, in writing, that

cause for suspension of payments, termination, or suspension or debarment exists, an appropriate action shall be initiated by a contracting officer of the agency, to be conducted by the agency concerned in accordance with the Federal Acquisition Regulation and applicable agency procedures. (B) The Federal Acquisition Regulation shall be revised to include rules for conducting suspension and debarment proceedings under this subsection, including rules providing notice, opportunity to respond in writing or in person, and such other procedures as may be necessary to provide a full and fair proceeding to a contractor or individual in such proceeding. (3) Effect of debarment Upon issuance of any final decision under this subsection requiring debarment of a contractor or individual, such contractor or individual shall be ineligible for award of any contract by any Federal agency, and for participation in any future procurement by any Federal agency, for a period specified in the decision, not to exceed 5 years. (Pub. L. 100-690, title V, §5152, Nov. 18, 1988, 102 Stat. 4304; Pub. L. 103-355, title IV, §4104(d), title VIII, §8301(f), Oct. 13, 1994, 108 Stat. 3342, 3397; Pub. L. 104-106, div. D, title XLIII, §§4301(a)(3), 4321(i)(13), Feb. 10, 1996, 110 Stat. 656, 677.) § 702 TITLE 41—PUBLIC CONTRACTS Page 176 AMENDMENTS 1996—Subsec. (a)(1). Pub. L. 104-106, §4321(i)(13), substituted “(as defined in section 403(12) of this title)” for “as defined in section 403 of this title” in introductory provisions. Pub. L. 104-106, §4301(a)(3)(A), substituted “agrees to” for “has certified to the contracting agency that it will” in introductory provisions. Subsec. (a)(2). Pub. L. 104-106, §4301(a)(3)(B), substituted “individual agrees” for “contract includes a certification by the individual”. Subsec. (b)(1). Pub. L. 104-106, §4301(a)(3)(C), redesignated subpar. (B) as (A), struck out “such certification by failing to carry out” after “contractor violates”, redesignated subpar. (C) as (B), and struck out former subpar. (A) which read as follows: “the contractor or individual has made a false certification under subsection (a) of this section;”. 1994—Subsec. (a)(1). Pub. L. 103-355 substituted “greater than the simplified acquisition threshold (as defined in section 403(11) of this title) by any Federal agency, other than a contract for the procurement of commercial items as defined in section 403 of this title,” for “of \$25,000 or more from any Federal agency” in introductory provisions. EFFECTIVE DATE OF 1996 AMENDMENT For effective date and applicability of amendment by Pub. L. 104-106, see section 4401 of Pub. L. 104-106, set out as a note under section 251 of this title. EFFECTIVE DATE OF 1994 AMENDMENT For effective date and applicability of amendment by Pub. L. 103-355, see section 10001 of Pub. L. 103-355, set out as a note under section 251 of this title. EFFECTIVE DATE Section 5160 of Pub. L. 100-690 provided that: “Sections 5152 and 5153 [enacting this section and section 702 of this title] shall be effective 120 days after the date of the enactment of this subtitle [Nov. 18, 1988].” SHORT TITLE Section 5151 of Pub. L. 100-690 provided that: “This subtitle [subtitle D (§§5151-5160) of title V of Pub. L. 100-690, enacting this chapter] may be cited as the ‘Drug-Free Workplace Act of 1988.’” CONSISTENCY OF REGULATIONS WITH INTERNATIONAL OBLIGATIONS OF UNITED STATES; EXTRATERRITORIAL APPLICATION Section 4804 of Pub. L. 100-690 required that regulations promulgated by agency heads be consistent with international obligations of United States, prior to repeal by Pub. L. 103-447, title I, §103(b), Nov. 2, 1994, 108 Stat. 4693. § 702. Drug-free workplace requirements for Federal grant recipients (a) Drug-free workplace requirement (1) Persons other than individuals No person, other than an individual, shall receive a grant from any Federal agency unless such person agrees to provide a drug-free workplace by— (A) publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the grantee’s workplace and specifying the actions that will be taken against employees for violations of such prohibition; (B)



establishing a drug-free awareness program to inform employees about— (i) the dangers of drug abuse in the workplace; (ii) the grantee’s policy of maintaining a drug-free workplace; (iii) any available drug counseling, rehabilitation, and employee assistance programs; and (iv) the penalties that may be imposed upon employees for drug abuse violations; (C) making it a requirement that each employee to be engaged in the performance of such grant be given a copy of the statement required by subparagraph (A); (D) notifying the employee in the statement required by subparagraph (A), that as a condition of employment in such grant, the employee will— (i) abide by the terms of the statement; and (ii) notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction; (E) notifying the granting agency within 10 days after receiving notice of a conviction under subparagraph (D)(ii) from an employee or otherwise receiving actual notice of such conviction; (F) imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is so convicted, as required by section 703 of this title; and (G) making a good faith effort to continue to maintain a drug-free workplace through implementation of subparagraphs (A), (B), (C), (D), (E), and (F). (2) Individuals No Federal agency shall make a grant to any individual unless such individual agrees as a condition of such grant that the individual will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in conducting any activity with such grant. (b) Suspension, termination, or debarment of grantee (1) Grounds for suspension, termination, or debarment Each grant awarded by a Federal agency shall be subject to suspension of payments under the grant or termination of the grant, or both, and the grantee thereunder shall be subject to suspension or debarment, in accordance with the requirements of this section if the agency head of the granting agency or his official designee determines, in writing, that— (A) the grantee violates the requirements of subparagraph (A), (B), (C), (D), (E), (F), or (G) of subsection (a)(1) of this section; or (B) such a number of employees of such grantee have been convicted of violations of criminal drug statutes for violations occurring in the workplace as to indicate that the grantee has failed to make a good faith effort to provide a drug-free workplace as required by subsection (a)(1) of this section. (2) Conduct of suspension, termination, and debarment proceedings A suspension of payments, termination, or suspension or debarment proceeding subject to Page 177 TITLE 41—PUBLIC CONTRACTS § 706 this subsection shall be conducted in accordance with applicable law, including Executive Order 12549 or any superseding Executive order and any regulations promulgated to implement such law or Executive order. (3) Effect of debarment Upon issuance of any final decision under this subsection requiring debarment of a grantee, such grantee shall be ineligible for award of any grant from any Federal agency and for participation in any future grant from any Federal agency for a period specified in the decision, not to exceed 5 years. (Pub. L. 100–690, title V, §5153, Nov. 18, 1988, 102 Stat. 4306; Pub. L. 105–85, div. A, title VIII, §809, Nov. 18, 1997, 111 Stat. 1838.) REFERENCES IN TEXT Executive Order 12549, referred to in subsec. (b)(2), is set out as a note under section 6101 of Title 31, Money and Finance. AMENDMENTS 1997—Subsec. (a)(1). Pub. L. 105–85, §809(1)(A), substituted “agrees to” for “has certified to the granting agency that it will” in introductory provisions. Subsec. (a)(2). Pub. L. 105–85, §809(1)(B), substituted “agrees” for “certifies to the agency”. Subsec. (b)(1)(A). Pub. L. 105–85, §809(2)(C), struck out “such certification by failing to carry out” after “violates”. Pub. L. 105–85, §809(2)(A), (B), redesignated subpar. (B) as (A) and struck out former subpar. (A) which read as follows: “the grantee has made a false certification under subsection (a) of this section;”. Subsec. (b)(1)(B), (C). Pub. L. 105–85, §809(2)(B), redesignated subpars. (B) and (C) as (A) and (B),

respectively. EFFECTIVE DATE Section effective 120 days after Nov. 18, 1988, see section 5160 of Pub. L. 100–690, set out as a note under section 701 of this title. § 703. Employee sanctions and remedies A grantee or contractor shall, within 30 days after receiving notice from an employee of a conviction pursuant to section 701(a)(1)(D)(ii) or 702(a)(1)(D)(ii) of this title— (1) take appropriate personnel action against such employee up to and including termination; or (2) require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency. (Pub. L. 100–690, title V, §5154, Nov. 18, 1988, 102 Stat. 4307.) § 704. Waiver (a) In general A termination, suspension of payments, or suspension or debarment under this chapter may be waived by the head of an agency with respect to a particular contract or grant if— (1) in the case of a waiver with respect to a contract, the head of the agency determines under section 701(b)(1) of this title, after the issuance of a final determination under such section, that suspension of payments, or termination of the contract, or suspension or debarment of the contractor, or refusal to permit a person to be treated as a responsible source for a contract, as the case may be, would severely disrupt the operation of such agency to the detriment of the Federal Government or the general public; or (2) in the case of a waiver with respect to a grant, the head of the agency determines that suspension of payments, termination of the grant, or suspension or debarment of the grantee would not be in the public interest. (b) Exclusive authority The authority of the head of an agency under this section to waive a termination, suspension, or debarment shall not be delegated. (Pub. L. 100–690, title V, §5155, Nov. 18, 1988, 102 Stat. 4307.) § 705. Regulations Not later than 90 days after November 18, 1988, the governmentwide regulations governing actions under this chapter shall be issued pursuant to the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.). (Pub. L. 100–690, title V, §5156, Nov. 18, 1988, 102 Stat. 4308.) REFERENCES IN TEXT The Office of Federal Procurement Policy Act, referred to in text, is Pub. L. 93–400, Aug. 30, 1974, 88 Stat. 796, as amended, which is classified principally to chapter 7 (§401 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 401 of this title and Tables. § 706. Definitions For purposes of this chapter— (1) the term “drug-free workplace” means a site for the performance of work done in connection with a specific grant or contract described in section 701 or 702 of this title of an entity at which employees of such entity are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of this Act; (2) the term “employee” means the employee of a grantee or contractor directly engaged in the performance of work pursuant to the provisions of the grant or contract described in section 701 or 702 of this title; (3) the term “controlled substance” means a controlled substance in schedules I through V of section 812 of title 21; (4) the term “conviction” means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes; (5) the term “criminal drug statute” means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance; (6) the term “grantee” means the department, division, or other unit of a person responsible for the performance under the grant; (7) the term “contractor” means the department, division, or other unit of a person responsible for the performance under the contract; and (8) the term “Federal agency” means an agency as that term is defined in section 552(f) of title 5. (Pub. L. 100–690, title V, §5157, Nov. 18, 1988, 102 Stat. 4308.) REFERENCES IN TEXT This Act, referred to in par. (1), is Pub. L. 100–

690, Nov. 18, 1988, 102 Stat. 4181, known as the Anti-Drug Abuse Act of 1988. For complete classification of this Act to the Code, see Short Title note set out under former section 1501 of Title 21, Food and Drugs, and Tables. § 707. Construction of chapter Nothing in this chapter shall be construed to require law enforcement agencies, if the head of the agency determines it would be inappropriate in connection with the agency's undercover operations, to comply with the provisions of this chapter. (Pub. L. 100-690, title V, §5158, Nov. 18, 1988, 102 Stat. 4308.

# Appendix 9

H.R.3614 — 101st Congress (1989-1990)[All Information](#) (Except Text)

## Listen

There are 3 summaries for H.R.3614.

(11/20/1989)

(11/15/1989)

(11/08/1989)

Conference report filed in House  
Passed Senate amended  
Introduced in House

[Bill summaries](#) are authored by [CRS](#).

Shown Here:

Conference report filed in House (11/20/1989)

Drug-Free Schools and Communities Act Amendments of 1989 - Amends the Drug-Free Schools and Communities Act of 1986 (the Act) to revise funding distribution for certain programs. Authorizes appropriations for FY 1991 through 1993 for a new emergency grants program.

Adds specified new requirements relating to distribution of appropriations.

Requires State educational agencies to use specified additional amounts to make grants to local educational agencies for certain programs.

Revises the use of State program funds to include grants to promote and establish drug-free school zones. Directs State Governors to: (1) make grants or contracts, giving priority to community, or parent groups, for community-based programs of coordinated services designed for high-risk youth; and (2) make grants to private nonprofit organizations to develop new strategies to communicate anti-drug abuse messages to youths. Adds juveniles in detention facilities to the list of high-risk youths.

Allows the use of State program funds for nondiscriminatory random drug testing programs for students voluntarily participating in athletic activities in schools which voluntarily choose to participate in such a program.

Requires State applications to include a plan for providing innovative programs of drug abuse education for all juveniles in detention facilities within the State.

Revises provisions for State educational agency responsibilities with respect to reallocation of grants to local and intermediate education agencies.

Revises local drug abuse education and prevention programs. Elaborates on the types of activities which may be included in school-based programs of drug abuse prevention and early intervention and in drug abuse prevention counseling programs. Provides for model alternative

schools for youth with drug problems that address the special needs of such students through education and counseling.

Requires local applications to include specified information relating to: (1) school participation in community-wide efforts; (2) provision of trained counselors, social workers, psychologists, and nurses; (3) distribution of lists of local resources; (4) curricula review; and (5) training for teachers and other personnel implementing the programs.

Requires local applicants to submit annual program progress reports to the State educational agency. Requires States to include an evaluation of State and local program effectiveness in their biennial reports to the Secretary of Education (the Secretary). Provides for grants for training teachers, counselors, and school personnel.

Adds to Federal activities: (1) use of private nonprofit organizations to develop innovative strategies to communicate antidrug abuse messages to youths and to eliminate drug abuse from the communities of the Nation; and (2) program evaluation.

Creates a national emergency grants program. Directs the Secretary to make grants to eligible local educational agencies that demonstrate significant need for additional assistance to combat drug and alcohol abuse by students. Sets forth eligibility criteria and minimum and maximum grant limits. Provides that FY 1990 funds for such grants shall be allocated to State Governors for distribution through State educational agencies to local educational agencies.

Establishes a drug-free school zones demonstration program of grants by the Secretary to local and intermediate educational agencies and consortia. Directs the Secretary to evaluate such programs. Authorizes appropriations.

Defines the use of anabolic steroids as drug abuse.

Authorizes a State educational agency bypass of the local educational agency where necessary to provide for program participation of children and teachers from private nonprofit elementary and secondary schools.

Requires the Secretary, through the National Diffusion Network, to disseminate information and technical assistance with respect to drug abuse education and prevention programs of demonstrated effectiveness. Authorizes appropriations for FY 1991.

Amends the Higher Education Act of 1965 to provide for development of skills and techniques for administering drug prevention and education programs.

Amends the Child Abuse Prevention and Treatment Act, as amended by the Child Abuse Prevention Challenge Grants Reauthorization Act of 1989 (Public Law 101-126), to establish a program of emergency child protective services grants. Directs the Secretary of Health and Human Services to make such grants to eligible entities to provide services to children whose parents are substance abusers. Authorizes appropriations for such grants for FY 1990 and subsequent fiscal years.

Amends the Higher Educational Act of 1965 (HEA) to bar an institution of higher education from receiving funds or any other Federal financial assistance, including any federally funded or guaranteed student loans, unless it certifies to the Secretary that it has adopted and

implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees. Sets forth minimum requirements for such programs.

Sets forth a similar prohibition under the Drug-Free Schools and Communities Act of 1986 against the receipt of Federal financial assistance by a local educational agency unless it certifies that it has in place a drug and alcohol abuse prevention program for its students and employees which meets specified minimum requirements. Requires State educational agencies to receive such certifications and to make a similar certification to the Secretary.

Amends the National Narcotics Leadership Act of 1988 to provide for before and after school programs for unsupervised children, including: (1) education and instruction consistent with the Drug-Free Schools and Communities Act of 1988; (2) athletic activities; (3) creative activities; and (4) other programs designed to reduce the risk of drug abuse.

## Appendix 10

### RCW [66.44.270](#)

Furnishing liquor to minors—Possession, use—Penalties—Exhibition of effects—Exceptions.

(1) It is unlawful for any person to sell, give, or otherwise supply liquor to any person under the age of 21 years or permit any person under that age to consume liquor on his or her premises or on any premises under his or her control. For the purposes of this subsection, "premises" includes real property, houses, buildings, and other structures, and motor vehicles and watercraft. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter [9A.20](#) RCW.

(2) The board may impose civil penalties as set forth in this section on individuals for the sale, gift, or otherwise supply of liquor to any person under the age of 21 occurring from a business licensed by the board under this chapter, and by a person performing acts of employment on behalf of the business. The board may impose a civil penalty in lieu of issuing a criminal citation under subsection (1) of this section.

(a) Any civil penalty imposed by the board may not be in addition to criminal enforcement, and the board may not issue a criminal citation in any matter in which it issues a civil penalty.

(b) Nothing in this section prevents criminal enforcement in lieu of a civil penalty for continued violations, or violations involving intentional sales of, or knowingly furnishing, alcohol to a person under the age of 21 years.

(c) Nothing in this section prevents enforcement using provisions of RCW [66.20.300](#) through [66.20.350](#) when a person holds an alcohol server permit.

(d) The monetary penalty that the board may impose based upon one or more violations under this section may not exceed the following:

- (i) \$200 for the first violation;
- (ii) \$400 for a second violation occurring within three years; and
- (iii) \$500 for a third, or subsequent, violation occurring within three years.

(e) The board may develop and offer a class for retail clerks and use this class in lieu of a monetary penalty for the clerk's first violation.



(f) The board may seek injunctive relief to enforce the provisions of this chapter. The board may initiate legal action to collect civil penalties imposed under this chapter if they have not been paid within 30 days after imposition. In any action filed by the board under this chapter, the court may, in addition to any other relief, award the board reasonable attorneys' fees and costs.

(g) All proceedings under this section must be conducted in accordance with chapter [34.05](#) RCW.

(3)(a) It is unlawful for any person under the age of 21 years to possess, consume, or otherwise acquire any liquor. A violation of this subsection is a gross misdemeanor punishable as provided for in chapter [9A.20](#) RCW.

(b) It is unlawful for a person under the age of 21 years to be in a public place, or to be in a motor vehicle in a public place, while exhibiting the effects of having consumed liquor. For purposes of this subsection, exhibiting the effects of having consumed liquor means that a person has the odor of liquor on his or her breath and either: (i) Is in possession of or close proximity to a container that has or recently had liquor in it; or (ii) by speech, manner, appearance, behavior, lack of coordination, or otherwise, exhibits that he or she is under the influence of liquor. This subsection (3)(b) does not apply if the person is in the presence of a parent or guardian or has consumed or is consuming liquor under circumstances described in subsection (5), (6), or (8) of this section.

(4) Subsections (1) and (3)(a) of this section do not apply to liquor given or permitted to be given to a person under the age of 21 years by a parent or guardian and consumed in the presence of the parent or guardian. This subsection shall not authorize consumption or possession of liquor by a person under the age of twenty-one years on any premises licensed under chapter [66.24](#) RCW.

(5) This section does not apply to liquor given for medicinal purposes to a person under the age of 21 years by a parent, guardian, physician, or dentist.

(6) This section does not apply to liquor given to a person under the age of 21 years when such liquor is being used in connection with religious services and the amount consumed is the minimal amount necessary for the religious service.

(7) This section does not apply to liquor provided to students under 21 years of age in accordance with a special permit issued under RCW [66.20.010](#)(12).

(8)(a) A person under the age of 21 years acting in good faith who seeks medical assistance for someone experiencing alcohol poisoning shall not be charged or prosecuted under subsection (3)(a) of this section, if the evidence for the charge was obtained as a result of the person seeking medical assistance.

(b) A person under the age of 21 years who experiences alcohol poisoning and is in need of medical assistance shall not be charged or prosecuted under subsection (3)(a) of this section, if the evidence for the charge was obtained as a result of the poisoning and need for medical assistance.

(c) The protection in this subsection shall not be grounds for suppression of evidence in other criminal charges.

(9) Conviction or forfeiture of bail for a violation of this section by a person under the age of 21 years at the time of such conviction or forfeiture shall not be a disqualification of that person to acquire a license to sell or dispense any liquor after that person has attained the age of 21 years.

[ [2024 c 71 s 2](#); [2015 c 59 s 2](#); [2013 c 112 s 2](#); [1998 c 4 s 1](#); [1993 c 513 s 1](#); [1987 c 458 s 3](#); [1955 c 70 s 2](#). Prior: 1935 c 174 s 6(1); 1933 ex.s. c 62 s 37(1); RRS s 7306-37(1); prior: Code 1881 s 939; [1877 p 205 s 5](#).]

## NOTES:

**Findings—2024 c 71:** "The legislature finds that preventing sales of alcohol to minors is a vital public health effort. However, the penalties associated with underage sale vary depending upon the seller's occupation or location. While servers and bartenders have administrative penalty options that are a component of the mandatory alcohol server training, store clerks do not and instead receive a citation for a gross misdemeanor.

The likelihood that these charges are filed varies by county, leaving some with no penalty at all, and others with a criminal record that may hamper their ability to find another job.

The legislature finds that retaining the criminal penalty is warranted in cases of intentional or repeat sales to minors. However, the legislature also finds that adding the option for administrative penalties would harmonize the penalties for store clerks with restaurant servers, and for store clerks found to have sold tobacco products to minors. The legislature therefore finds that enabling the ability for the liquor and cannabis board to issue administrative penalties and creating an escalating schedule of monetary fines, would reduce geographic disparities as well as reducing the number of people with criminal records. The legislature further finds that this would not harm public health or expand youth access." [ [2024 c 71 s 1](#).]

**Intent—2013 c 112:** "The legislature intends to save lives by increasing timely medical attention to alcohol poisoning victims through the establishment of limited immunity from prosecution for people under the age of twenty-one years who seek medical assistance in alcohol poisoning situations. Dozens of alcohol poisonings occur each

year in Washington state. Many of these incidents occur because people delay or forego seeking medical assistance for fear of arrest or police involvement, which researchers continually identify as a significant barrier to the ideal response of calling 911." [ [2013 c 112 s 1.](#)]

**Severability—1987 c 458:** See note following RCW [48.21.160](#).

*Minors, access to tobacco, role of liquor and cannabis board: Chapter [70.155](#) RCW.*

# Appendix 11

## Chapter 132A-127 WAC

### PENINSULA COLLEGE STUDENT RIGHTS AND RESPONSIBILITIES NEW SECTION

**WAC 132A-127-005 Authority.** The Peninsula College board of trustees, acting pursuant to RCW 28B.50.140(14), delegates to the president of the college the authority to administer student disciplinary action. The president is authorized to delegate or reassign any and all duties and responsibilities as set forth in the chapter as may be reasonably necessary. Administration of the disciplinary procedures is the responsibility of the vice president of student services or their designee. Except in cases involving allegations of sex discrimination, including sex-based harassment, the student conduct officer, or delegate, shall serve as the principal investigator and administrator for alleged violations of this code.

**WAC 132A-127-010 Statement of jurisdiction.** (1) The Peninsula College student rights and responsibilities shall apply to conduct by students or student groups that occurs:

- (a) On college premises;
- (b) At or in connection with college programs or activities; or
- (c) Off college premises, if in the judgment of the college, the conduct has an adverse impact on the college community, the pursuit of its objectives, or the ability of a student or staff to participate in the college's programs and activities.

(2) Jurisdiction extends to locations in which students are engaged in college programs or activities including, but not limited to, college-sponsored housing, foreign or domestic travel, activities funded by the students, student government, student clubs or organizations, athletic events, training internships, cooperative and distance education, online education, practicums, supervised work experiences or any other college-sanctioned social or club activities.

(3) Students are responsible for their conduct from the time they gain admission to the college through the last day of enrollment or award of any degree or certificate, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of enrollment.

(4) These standards shall apply to a student's conduct even if the student withdraws from college while a disciplinary matter is pending.

(5) The college has sole discretion, on a case-by-case basis, to determine whether the student conduct code will be applied to conduct by students or student groups that occurs off-campus.

(6) In addition to initiating disciplinary proceedings for violation of the student conduct code, the college may refer any violations of federal, state, or local laws to civil and criminal authorities for disposition. The college reserves the right to pursue student disciplinary proceedings regardless of whether the underlying conduct is subject to civil or criminal prosecution.

**WAC 132A-127-015 Statement of student rights.** As members of the academic community, students are encouraged to develop the capacity for critical judgment and to engage in an independent search for truth. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise their freedom with responsibility. The responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the college community.

The following enumerated rights are guaranteed to each student within the limitations of statutory law and college policy, which are deemed necessary to achieve the educational goals of the college:

- (1) Academic freedom.
  - (a) Students are guaranteed the rights of free inquiry, expression, and assembly upon and within college facilities that are generally open and available to the public.
  - (b) Students are free to pursue appropriate educational objectives from among the college's curricula, programs, and student affairs, subject to the limitations of RCW 28B.50.090 (3)(b).
  - (c) Students shall be protected from academic evaluation that is arbitrary, prejudiced, or capricious, but are responsible for meeting the standards of academic performance established by each of their instructors.
  - (d) Students have the right to a learning environment that is free from unlawful discrimination, inappropriate and disrespectful conduct, and any and all harassment, including sex discrimination.
- (2) Due process.
  - (a) The rights of students to be secure in their persons, quarters, papers, and effects against unreasonable searches and seizures is guaranteed.
  - (b) No disciplinary sanction may be imposed on any student without notice to the accused of the nature of the charges.
  - (c) A student accused of violating this code of student conduct is entitled, upon request, to procedural due process as set forth in this chapter.

**WAC 132A-127-020 Definitions.** The following definitions shall apply for purpose of this student conduct code:

- (1) "**Business day**" means a weekday, excluding weekends and college holidays.
- (2) "**College premises**" shall include all campuses of the college, wherever located, and includes all land, buildings, facilities, vehicles, equipment, and other property owned, used, or controlled by the college.
- (3) "**Complainant**" means the following individuals who are alleged to have been subjected to conduct that would constitute discrimination:
  - (a) A student or employee; or
  - (b) A person other than a student or employee who was participating or attempting to participate in the college's education program or activity at the time of the alleged discrimination.
- (4) "**Conduct review officer**" is the vice president of student services or other college administrator designated by the president who is responsible for reviewing or referring appeals of student disciplinary actions as specified in this code.
- (5) "**Disciplinary action**" is the process by which the student conduct officer imposes discipline against a student for a violation of the student conduct code. A written or verbal warning is not disciplinary action.
- (6) "**Disciplinary appeal**" is the process by which an aggrieved party can appeal the discipline imposed or recommended by the student conduct officer. Disciplinary appeals from a suspension in excess of 10 instructional days or a dismissal from the college are heard by the student conduct appeals committee. Appeals of all other disciplinary action shall be reviewed by a conduct review officer through brief ad-judicative proceedings.
- (7) "**Filing**" is the process by which a document is officially delivered to a college official responsible for facilitating a disciplinary review. Unless otherwise provided, filing shall be accomplished by:
  - (a) Hand delivery of the document to the specified college official or college official's assistant; or
  - (b) Sending the document by email or first class mail to the specified college official's office or college email address.

Papers required to be filed shall be deemed filed upon actual receipt during office hours at the office of the specified college official.

(8) **"Instructional day"** is a day identified in the academic calendar and quarterly schedule as a classroom instruction day.

(9) **"Pregnancy or related conditions"** means:

- (a) Pregnancy, childbirth, termination of pregnancy, or lactation;
- (b) Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
- (c) Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

(10) **"President"** is the president of the college. The president is authorized to:

- (a) Delegate any of their responsibilities as set forth in this chapter as may be reasonably necessary; and
- (b) Reassign any and all duties and responsibilities as set forth in this chapter as may be reasonably necessary.

(11) **"Program"** or **"programs and activities"** means all operations of the college.

(12) **"Relevant"** means related to the allegations of sex discrimination under investigation.

Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decision maker in determining whether the alleged sex discrimination occurred.

(13) **"Remedies"** means measures provided to a complainant or other person whose equal access to the college's educational programs and activities has been limited or denied by sex discrimination. These measures are intended to restore or preserve that person's access to educational programs and activities after a determination that sex discrimination has occurred.

(14) **"Respondent"** is a student who is alleged to have violated the student conduct code.

(15) **"Service"** is the process by which a document is officially delivered to a party. Unless otherwise provided, service upon a party shall be accomplished by:

- (a) Hand delivery of the document to the party; or
- (b) Sending the document by email and by certified mail or first class mail to the party's last known address.

Service is deemed complete upon hand delivery of the document or upon the date that the document is emailed and deposited in the mail, whichever is first.

(16) **"Student"** includes all persons taking courses at or through the college, whether on a full-time or part-time basis, and whether such courses are credit courses, noncredit courses, online courses, or otherwise. Persons who withdraw after allegedly violating the code, who are not officially enrolled for particular term but who have a continuing relationship with the college, or who have been notified of their acceptance for admission are considered a "student" for purposes of this chapter.

(17) **"Student conduct officer"** is a college administrator designated by the president to be responsible for implementing and enforcing the student conduct code.

(18) **"Student employee"** means an individual who is both a student and an employee of the college. When a complainant or respondent is a student employee, the college must make a fact-specific inquiry to determine whether the individual's primary relationship with the college is to receive an education and whether any alleged student conduct code violation including, but not limited to, sex-based harassment, occurred while the individual was performing employment-related work.

(19) **"Student group"** is a student organization, athletic team, or living group including, but not limited to, student clubs and organizations, members of a class or student cohort, student performance groups, and student living groups within student housing.

(20) **"Supportive measures"** means reasonable, individualized and appropriate, nonpunitive and non-disciplinary measures offered by the college to the

complainant or respondent without unreasonably burdening either party, and without fee or charge for purposes of:

(a) Restoring or preserving a party's access to the college's educational program or activity, including measures that are designed to protect the safety of the parties or the college's educational environment; or providing support during the college's investigation and disciplinary procedures, or during any informal resolution process; or

(b) Supportive measures may include, but are not limited to: Counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of campus; restriction on contact applied to one or more parties; a leave of absence; change in class, work, housing, or extra-curricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment.

(21) "**Title IX coordinator**" is the administrator responsible for processing complaints of sex discrimination, including sex-based harassment, overseeing investigations and informal resolution processes, and coordinating supportive measures, in accordance with college policy.

**WAC 132A-127-025 Prohibited student conduct.** The college may impose disciplinary sanctions against a student or a college-sponsored student organization, athletic team or living group, who commits, attempts to commit, aids, abets, incites, encourages or assists another person to commit, an act(s) of misconduct, which include, but are not limited to, the following:

(1) **Abuse of others.** Assault, physical abuse, verbal abuse, threat(s), intimidation, or other conduct that harms, threatens, or is reasonably perceived as threatening the health or safety of another person or another person's property unless otherwise protected by law.

(2) **Abuse in later life.**

(a) Neglect, abandonment, economic abuse, or willful harm of an adult aged 50 or older by an individual in an ongoing relationship of trust with the victim; or

(b) Domestic violence, dating violence, sexual assault, or stalking of an adult aged 50 or older by any individual; and

(c) Does not include self-neglect.

(3) **Academic dishonesty.** Any act of academic dishonesty, including:

(a) Cheating - Any attempt to give or obtain unauthorized assistance relating to the completion of an academic assignment.

(b) Plagiarism - Taking and using as one's own, without proper attribution, the ideas, writings, work of another person, or artificial intelligence, in completing an academic assignment.

Prohibited conduct may also include the unauthorized submission for credit of academic work that has been submitted for credit in another course.

(c) Fabrication - Falsifying data, information, or citations in completing an academic assignment and also includes providing false or deceptive information to an instructor concerning the completion of an assignment.

(d) Deliberate damage - Taking deliberate action to destroy or damage another's academic work or college property in order to gain an advantage for oneself or another.

(4) **Acts of dishonesty.** Acts of dishonesty include, but are not limited to:

(a) Forgery, alteration, and/or submission of falsified documents or misuse of any college document, record, or instrument of identification;

(b) Furnishing false information, or failing to furnish correct information, in response to the request or requirement of a college officer or employee;

(c) Tampering with an election conducted by or for college students; or

(d) Knowingly making a false statement or submitting false information in relation, or in response, to a college academic or disciplinary investigation or process.

(5) **Alcohol.** Use, possession, manufacture, or distribution of alcoholic beverages or paraphernalia (except as expressly permitted by college policies, and federal, state, and local



laws), or public in-toxication on college premises or at college-sponsored events. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person not of legal age.

**(6) Cannabis, drug, and tobacco violations.**

(a) Cannabis. The use, possession, growing, delivery, sale, or being visibly under the influence of cannabis or the psychoactive compounds found in cannabis and intended for human consumption, regard-less of form, or the possession of cannabis paraphernalia on college premises or college-sponsored events. While state law permits the recreational use of cannabis, federal law prohibits such use on college premises or in connection with college activities.

(b) Drugs. The use, possession, production, delivery, sale, or being observably under the influence of any legend drug, including anabolic steroids, androgens, or human growth hormones as defined in chapter 69.41 RCW, or any other controlled substance under chapter 69.50 RCW, except as prescribed for a student's use by a licensed practitioner.

(c) Tobacco, electronic cigarettes and related products. The use of tobacco, electronic cigarettes, and related products in any building owned, leased, or operated by the college or in any location where such use is prohibited, including 25 feet from entrances, exits, windows that open, and ventilation intakes of any building owned, leased, or operated by the college. The use of tobacco, electronic cigarettes, and related products on the college campus is restricted to designated smoking areas. "Related products" include, but are not limited to, cigarettes, pipes, bidi, clove cigarettes, waterpipes, hookahs, chewing tobacco, vaporizers, and snuff.

**(7) Cyber misconduct.** Use of electronic communications including, but not limited to, electronic mail, instant messaging, electronic bulletin boards, applications (apps), and social media sites, to harass, abuse, bully or engage in other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person. Prohibited activities include, but are not limited to, unauthorized monitoring of another's email communications directly or through spyware, sending threatening emails, disrupting electronic communications with spam or by sending a computer virus, sending false messages to third parties using another's email identity, nonconsensual recording of sexual activity, and nonconsensual distribution of a recording of sexual activity.

**(8) Disruption or obstruction.** Disruption or obstruction of instruction, research, administration, disciplinary proceeding, or other college activity, including the obstruction of the free flow of pedestrian or vehicular movement on college premises or at a college activity, or any activity that is authorized to occur on college premises, whether or not actually conducted or sponsored by the college.

**(9) Discriminatory harassment.**

(a) Unwelcome and offensive conduct, including verbal, nonverbal, or physical conduct, not otherwise protected by law, that is directed at a person because of such person's protected status and that is sufficiently severe, persistent, or pervasive so as to:

(i) Limit the ability of a student to participate in or benefit from the college's educational and/or social programs and/or student housing;

(ii) Alter the terms of an employee's employment; or

(iii) Create an intimidating, hostile, or offensive environment for other campus community members.

(b) Protected status includes a person's race; color; creed/religion; national origin; presence of any sensory, mental or physical disability; use of a trained service animal; sex, including pregnancy; marital status; age; genetic information; sexual orientation; gender identity or expression; veteran or military status; HIV/AIDS and hepatitis C status; or membership in any other group protected by federal, state, or local law.

(c) Discriminatory harassment may be physical, verbal, or nonverbal conduct and may include written, social media, and electronic communications not otherwise protected by law.

(10) **Ethical violation.** The breach of any generally recognized and published code of ethics or standards of professional practice that governs the conduct of a particular profession for which the student is taking a course or is pursuing as an educational goal or major.

(11) **Failure to comply with directive.** Failure to comply with the direction of a college officer or employee who is acting in the legitimate performance of their duties, including failure to properly identify oneself to such a person when requested to do so.

(12) **Harassment or bullying.** Conduct unrelated to a protected class that is unwelcome and sufficiently severe, persistent, or pervasive such that it could reasonably be expected to create an intimidating, hostile, or offensive environment, or has the purpose or effect of unreasonably interfering with a person's academic or work performance, or a person's ability to participate in or benefit from the college's programs, services, opportunities, or activities.

(a) Harassing conduct may include, but is not limited to, physical, verbal, or nonverbal conduct, including written, social media, and electronic communications not otherwise protected by law.

(b) For purposes of this code, "bullying" is defined as repeated or aggressive unwanted behavior not otherwise protected by law when a reasonable person would feel humiliated, harmed, or intimidated.

(c) For purposes of this code, "intimidation" is an implied threat. Intimidation exists when a reasonable person would feel threatened or coerced even though an explicit threat or display of physical force has not been made. Intimidation is evaluated based on the intensity, frequency, context, and duration of the comments or actions.

(13) **Hazing.** Hazing is any act committed as part of a person's recruitment, initiation, pledging, admission into, or affiliation with a college sponsored student organization, athletic team, or living group, or any pastime or amusement engaged in with respect to such an organization, athletic team, or living group that causes, or is likely to cause, bodily danger or physical harm, or serious psychological or emotional harm, to any student, including causing, directing, coercing, or forcing a person to consume any food, liquid, alcohol, drug, or other substance which subjects the person to risk of such harm, regardless of the person's willingness to participate. "Hazing" does not include customary athletic events or other similar contests or competitions. Consent is not a valid defense against hazing.

(14) **Indecent exposure.** The intentional or knowing exposure of a person's genitals or other private body parts when done in a place or manner in which such exposure is likely to cause affront or alarm. Breastfeeding or expressing breast milk is not indecent exposure.

(15) **Misuse of electronic resources.** Theft or other misuse of computer time or other electronic information resources of the college. Such misuse includes, but is not limited to:

(a) Unauthorized use of such resources or opening of a file, message, or other item;

(b) Unauthorized duplication, transfer, or distribution of a computer program, file, message, or other item;

(c) Unauthorized use or distribution of someone else's password or other identification;

(d) Use of such time or resources to interfere with someone else's work;

(e) Use of such time or resources to send, display, or print an obscene or abusive message, text, or image;

(f) Use of such time or resources to interfere with normal operation of the college's computing system or other electronic information resources;

(g) Use of such time or resources in violation of applicable copyright or other law;

(h) Adding to or otherwise altering the infrastructure of the college's electronic information resources without authorization; or

(i) Failure to comply with the college's electronic use policy.

(16) **Property violation.** Damage to, misappropriation of, unauthorized use or possession of, vandalism, or other nonaccidental damaging or destruction of college property or the property of another person. Property for purposes of this subsection includes computer passwords, access codes, identification cards, personal financial account numbers, other confidential personal information, intellectual property, and college trademarks.

(17) **Retaliation.** Harming, threatening, intimidating, coercing, or other adverse action taken against any individual for reporting, providing information, exercising one's rights or responsibilities, participating, or refusing to participate, in the process of responding to, investigating, or addressing allegations or violations of federal, state or local law, or college policies.

(18) **Safety violations.** Nonaccidental, reckless, or unsafe conduct that interferes with or otherwise compromises any college policy, equipment, or procedure relating to the safety and security of the campus community, including tampering with fire safety equipment and triggering false alarms or other emergency response systems.

(19) **Sex discrimination.** The term "sex discrimination" includes sex-based harassment, and may occur when a respondent causes more than de minimis harm to an individual by treating them different from a similarly situated individual on the basis of: Sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Conduct that prevents an individual from participating in an education program or activity consistent with the person's gender identity subjects a person to more than de minimis (insignificant) harm on the basis of sex.

(a) **Sex-based harassment.** "Sex-based harassment" is a form of sex discrimination and means sexual harassment or other harassment on the basis of sex, including the following conduct:

(i) **Quid pro quo harassment.** A student, employee, agent, or other person authorized by the college to provide an aid, benefit, or service under the college's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

(ii) **Hostile environment.** Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

(A) The degree to which the conduct affected the complainant's ability to access the college's education program or activity;

(B) The type, frequency, and duration of the conduct;

(C) The parties' ages, roles within the college's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;

(D) The location of the conduct and the context in which the conduct occurred; and

(E) Other sex-based harassment in the college's education program or activity.

(iii) **Sexual violence.** "Sexual violence" includes nonconsensual sexual intercourse, nonconsensual sexual contact, incest, statutory rape, domestic violence, dating violence, and stalking.

(A) **Nonconsensual sexual intercourse** is any sexual intercourse (anal, oral, or vaginal), however slight, with any object, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.

(B) **Nonconsensual sexual contact (fondling)** is any actual or attempted sexual touching, however slight, with any body part or object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

(C) **Incest** is sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of 18.

(D) **Statutory rape (rape of a child)** is nonforcible sexual intercourse with a person who is under the statutory age of consent.

(E) **Domestic violence** is physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, coercive control, damage or destruction of personal property, stalking or any other conduct prohibited under RCW 10.99.020, committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Washington, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the state of Washington.

(F) **Dating violence** is physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

(I) The length of the relationship;

(II) The type of relationship; and

(III) The frequency of interaction between the persons involved in the relationship.

(G) **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or to suffer substantial emotional distress.

(b) **Consent.** For purposes of this code "consent" means knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity.

(i) Each party has the responsibility to make certain that the other has consented before engaging in the activity.

(ii) For consent to be valid, there must be at the time of the act of sexual intercourse or sexual contact actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

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

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

(c) **Title IX retaliation** means intimidation, threats, coercion, or discrimination against any person by a student, for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in a sex discrimination investigation,

proceeding, or hearing including during an informal resolution process, during a Title IX investigation, or during any disciplinary proceeding involving allegations of sex discrimination.

(20) **Unauthorized access.** Unauthorized possession, duplication, or other use of a key, keycard, or other restricted means of access to college property, or unauthorized entry onto or into college property.

(21) **Violation of other laws or policies.** Violation of any federal, state, or local law, rule, or regulation, or other college rules or policies, including college housing, traffic, and parking rules.

(22) **Weapons.** Possession, holding, wearing, transporting, storage or presence of any firearm, dagger, sword, knife, or other cutting or stabbing instrument, club, explosive device, or any other weapon apparently capable of producing bodily harm is prohibited on the college campus and during college programming and activities, subject to the following exceptions:

(a) Commissioned law enforcement personnel or legally authorized military personnel while in performance of their official duties.

(b) Students with legally issued weapons permits may store their weapons in their vehicle parked on campus in accordance with RCW 9.41.050 (2) or (3), provided the vehicle is locked and the weapon is concealed from view.

(c) The president may grant permission to bring a weapon on campus upon a determination that the weapon is reasonably related to a legitimate pedagogical purpose. Such permission shall be in writing and shall be subject to such terms or conditions incorporated in the written permission.

(d) Possession and/or use of disabling chemical sprays for purposes of self-defense is not prohibited.

**WAC 132A-127-030 Corrective action, disciplinary sanctions, terms and conditions. (1)**

One or more of the following corrective actions or disciplinary sanctions may be imposed upon a student or upon college sponsored student organizations, athletic teams, or living groups found responsible for violating the student conduct code.

(a) **Warning.** A verbal or written statement to a student that there is a violation and that continued violation may be cause for disciplinary action. Warnings are corrective actions, not disciplinary, and may not be appealed.

(b) **Written reprimand.** Notice in writing that the student has violated one or more terms of this code of conduct and that continuation of the same or similar behavior may result in more severe disciplinary action.

(c) **Disciplinary probation.** Formal action placing specific conditions and restrictions upon the student's continued attendance depending upon the seriousness of the violation and which may include a deferred disciplinary sanction. If the student subject to a deferred disciplinary sanction is found in violation of any college rule during the time of disciplinary probation, the deferred disciplinary sanction, which may include, but is not limited to, a suspension or a dismissal from the college, shall take effect immediately without further review. Any such sanction shall be in addition to any sanction or conditions arising from the new violation. Probation may be for a limited period of time or maybe for the duration of the student's attendance at the college.

(d) **Disciplinary suspension.** Dismissal from the college and from student status for a stated period of time. There will be no refund of tuition or fees for the quarter in which the suspension is imposed.

(e) **Dismissal.** The revocation of all rights and privileges of membership in the college community and exclusion from the campus and college-owned or controlled facilities without any possibility of re-turn. There will be no refund of tuition or fees for the quarter in which the dismissal is imposed.

(2) Disciplinary terms and conditions that may be imposed alone or in conjunction with the imposition of a disciplinary sanction include, but are not limited to, the following:

(a) **Education.** Participation in or successful completion of an educational assignment designed to create an awareness of the student's misconduct.

(b) **Loss of privileges.** Denial of specified privileges for a designated period of time.

(c) **Not in good standing.** A student deemed "not in good standing" with the college shall be subject to the following restrictions:

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

(ii) Ineligible to represent the college to anyone outside the college community in any way, including representing the college at any official function, or any forms of intercollegiate competition or representation.

(d) **No contact directive.** An order directing a student to have no contact with a specified student, college employee, a member of the college community, or a particular college facility.

(e) **Professional evaluation.** Referral for drug, alcohol, psycho-logical, or medical evaluation by an appropriately certified or li-censed professional may be required. The student may choose the professional within the scope of practice and with the professional credentials as defined by the college. The student will sign all necessary releases to allow the college access to any such evaluation. The student's return to college may be conditioned upon compliance with recommendations set forth in such a professional evaluation. If the evaluation indicates that the student is not capable of functioning within the college community, the student will remain suspended until future evaluation recommends that the student is capable of reentering the college and complying with the rules of conduct.

(f) **Restitution.** Reimbursement for damage to or misappropriation of property, or for injury to persons, or for reasonable costs incurred by the college in pursuing an investigation or disciplinary proceeding. This may take the form of monetary reimbursement, appropriate service, or other compensation.

(g) **Trespass or restriction.** A student may be restricted from any or all college premises and/or college-sponsored activities based on the violation.

(3) More than one of the disciplinary terms and conditions listed above may be imposed for any single violation.

(4) If a student withdraws from the college or fails to reenroll before completing a disciplinary sanction or condition, the disciplinary sanction or condition must be completed either prior to or upon the student's reenrollment, depending on the nature of the sanction, condition, and/or the underlying violation. Completion of disciplinary sanctions and conditions may be considered in petitions for readmission to the college.

**WAC 132A-127-035 Hazing sanctions.** (1) Any student group that knowingly permits hazing is strictly liable for harm caused to persons or property resulting from hazing. If the organization, association, or student living group is a corporation, whether for profit or non-profit, the individual directors of the corporation may be held individually liable for damages.

(2) Any person who participates in the hazing of another shall forfeit any entitlement to state-funded grants, scholarships, or awards for a period of time determined by the college.

(3) Any student group that knowingly permits hazing to be conducted by its members or by others subject to its direction or control shall be deprived of any official recognition or approval granted by the college.

(4) Any student group found responsible for violating the code of student conduct, college antihazing policies, or state or federal laws relating to hazing or offenses related to alcohol, drugs, sexual as-sault, or physical assault will be disclosed in a public report issued

by the college setting forth the name of the student group, the date the investigation began, the date the investigation ended, a finding of responsibility, a description of the incident(s) giving rise to the finding, and the details of the sanction(s) imposed.

**WAC 132A-127-040 Initiation of disciplinary action.** (1) Any member of the college community may file a complaint against a student or student group for possible violations of the student conduct code.

(2) The student conduct officer, or designee, may review and investigate any complaint to determine whether it appears to state a violation of the student conduct code.

(a) **Sex discrimination, including sex-based harassment.** The college's Title IX coordinator or designee shall review, process, and, if applicable, investigate complaints or other reports of sex discrimination, including sex-based harassment. Allegations of sex discrimination, including sex-based harassment, by a student shall be addressed through the student conduct code. Allegations involving employees or third parties associated with the college will be handled in accordance with college policies.

(b) **Hazing by student groups.** A student conduct officer, or designee, may review and investigate any complaint or allegation of hazing by a student group. A student group will be notified through its named officer(s) and address on file with the college. A student group may designate one representative who may speak on behalf of a student group during any investigation and/or disciplinary proceeding. A student group will have the rights of a respondent as set forth below.

(3) Investigations will be completed in a timely manner and the results of the investigation shall be referred to the student conduct officer for disciplinary action.

(4) If a student conduct officer determines that a complaint appears to state a violation of the student conduct code, the student conduct officer will consider whether the matter might be resolved through agreement with the respondent or through alternative dispute resolution proceedings involving the complainant and the reporting party.

(a) Informal dispute resolution shall not be used to resolve sex-based harassment complaints without written permission from both the complainant and the respondent.

(b) If the parties elect to mediate a dispute through informal dispute resolution, either party shall be free to discontinue mediation at any time.

(5) If the student conduct officer has determined that a complaint has merit and if the matter is not resolved through agreement or informal dispute resolution, the student conduct officer may initiate disciplinary action against the respondent.

(6) Both the respondent and the complainant in cases involving allegations of sex discrimination shall be provided the same procedural rights to participate in student discipline matters, including the right to participate in the disciplinary process and to appeal any disciplinary decision.

(7) All disciplinary actions will be initiated by the student conduct officer. If that officer is the subject of a complaint, the president shall, upon request and when feasible, designate another person to fulfill any such disciplinary responsibilities relative to the complaint.

(8) The student conduct officer shall initiate disciplinary action by serving the respondent with written notice directing them to attend a disciplinary meeting. The notice shall briefly describe the factual allegations, the provision(s) of the conduct code the respondent is alleged to have violated, the range of possible sanctions for the alleged violation(s), and specify the time and location of the meeting.

(9) At the meeting, the student conduct officer will present the allegations to the respondent and the respondent shall be afforded an opportunity to explain what took place. If the respondent fails to attend the meeting after proper service of notice the student conduct officer may take disciplinary action based upon the available information.



(10) Within 10 calendar days of the initial disciplinary meeting, and after considering the evidence in the case, including any facts or argument presented by the respondent, the student conduct officer shall serve the respondent with a written decision setting forth the facts and conclusions supporting their decision, the specific student conduct code provisions found to have been violated, the discipline imposed (if any), and a notice of any appeal rights with an explanation of the consequences of failing to file a timely appeal. This period may be extended at the sole discretion of the student conduct officer, if additional information is necessary to reach a determination. The student conduct officer will notify the parties of any extension period and the reason therefore.

(11) The student conduct officer may take any of the following disciplinary actions:

(a) Exonerate the respondent and terminate the proceedings.

(b) Impose a disciplinary sanction(s), with or without conditions, as described in WAC 132A-127-030; or

(c) Refer the matter directly to the student conduct committee for such disciplinary action as the committee deems appropriate. Such referral shall be in writing, to the attention of the chair of the student conduct committee, with a copy served on the respondent.

(12) In cases involving allegations of sex discrimination, the student conduct officer shall review the investigation report provided by the Title IX coordinator, and determine whether, by a preponderance of the evidence, there was a violation of the student conduct code; and if so, what disciplinary sanction(s) and/or remedies will be recommended. The student conduct officer shall, within five business days of receiving the investigation report, serve respondent, complainant, and the Title IX coordinator with a written recommendation, setting forth the facts and conclusions supporting their recommendation. The time for serving a written recommendation may be extended by the student conduct officer for good cause.

(a) The complainant and respondent may either accept the student conduct officer's recommended disciplinary sanction(s) or request a hearing before a student conduct committee.

(b) The complainant and respondent shall have 21 calendar days from the date of the written recommendation to request a hearing before a student conduct committee.

(c) The request for a hearing may be verbal or written, but must be clearly communicated to the student conduct officer.

(d) The student conduct officer shall promptly notify the other party of the request.

(e) In cases involving sex discrimination, the student conduct officer may recommend dismissal of the complaint if:

(i) The college is unable to identify respondent after taking reasonable steps to do so;

(ii) Respondent is not participating in the college's educational programs or activities;

(iii) The complainant has voluntarily withdrawn any or all of the allegations in the complaint, and the Title IX coordinator has declined to initiate their own complaint;

(iv) The college determines that, even if proven, the conduct alleged by the complainant would not constitute sex discrimination; or

(v) The conduct alleged by the complainant falls outside the college's disciplinary jurisdiction.

(f) In cases involving allegations of sex-based harassment, the college must obtain the complainant's voluntary withdrawal in writing before the matter can be dismissed.

(g) If no request for a full hearing is provided to the student conduct officer, the student conduct officer's written recommendation shall be final and implemented immediately following the expiration of 21 calendar days from the date of the written recommendation.

(h) Upon receipt of the student conduct officer's written recommendation, the Title IX coordinator or their designee shall review all supportive measures and, within five business days, provide written direction to the complainant and respondent as to any supportive measures that will be implemented, continued, modified, or terminated. If either party is dissatisfied with the supportive measures, the party may seek review in accordance with the college's Title IX investigation procedure.

(i) If the respondent is found responsible for engaging in sex discrimination, the Title IX coordinator shall also take prompt steps to coordinate and implement any necessary remedies to ensure that sex discrimination does not recur and that complainant has equal access to the college's programs and activities.

**WAC 132A-127-045 Appeal from disciplinary action.** (1) Except as specified for cases involving allegations of sex discrimination, as set forth in WAC 132A-127-040(12), the respondent may appeal a disciplinary action by filing a written notice of appeal with the student conduct officer within 21 calendar days of service of the student conduct officer's decision. Failure to timely file a notice of appeal constitutes a waiver of the right to appeal and the student conduct officer's decision shall be deemed final.

(2) The notice of appeal must include a brief statement explaining why the respondent is seeking review.

(3) The parties to an appeal shall be the respondent, complainant if any, and the student conduct officer.

(4) A respondent, who timely appeals a disciplinary action or whose case is referred to the student conduct committee, has a right to a prompt, fair, and impartial hearing as provided for in these procedures.

(5) On appeal, the college bears the burden of establishing the evidentiary facts underlying the imposition of a disciplinary sanction by a preponderance of the evidence.

(6) Imposition of disciplinary action for violation of the student conduct code shall be stayed pending appeal, unless respondent has been summarily suspended.

(7) A conduct review officer shall conduct a brief adjudicative proceeding for appeals of:

(a) Suspensions of 10 instructional days or less;

(b) Disciplinary probation; and

(c) Written reprimands; and

(d) Any conditions or terms imposed in conjunction with one of the foregoing disciplinary actions.

(8) The student conduct committee shall hear appeals from:

(a) Disciplinary suspensions in excess of 10 instructional days;

(b) Dismissals;

(c) Sex discrimination, including sex-based harassment cases; and

(d) Disciplinary cases referred to the committee by the student conduct officer, a conduct review officer, or the president.

**WAC 132A-127-050 Brief adjudicative proceedings—Initial hearing.** (1) Brief adjudicative proceedings shall be conducted by a conduct review officer. The conduct review officer shall not participate in any case in which they are a complainant or witness, or in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity.

(2) The parties to a brief adjudicative proceeding are the respondent and the student conduct officer. Before taking action, the conduct review officer shall conduct an informal hearing and provide each party:

(a) An opportunity to be informed of the agency's view of the matter; and

(b) An opportunity to explain the party's view of the matter.

(3) The conduct review officer shall serve an initial decision upon the respondent and the student conduct officer within 10 calendar days of consideration of the appeal. The initial decision shall contain a brief written statement of the reasons for the decision and information about how to seek administrative review of the initial decision. If no request for review is filed within 21 calendar days of service of the initial decision, the initial decision shall be deemed the final decision.

(4) If the conduct review officer upon review determines that the respondent's conduct may warrant imposition of a disciplinary suspension in excess of 10 instructional days or expulsion, the matter shall be referred to the student conduct committee for a disciplinary hearing.

**WAC 132A-127-055 Brief adjudicative proceedings—**Review of an initial decision. (1) An initial decision is subject to review by the president, provided a party files a written request for review with the conduct review officer within 21 calendar days of service of the initial decision. (2) The president shall not participate in any case in which they are a complainant or witness, or in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity. (3) During the review, the president shall give all parties an opportunity to file written responses explaining their view of the matter and shall make any inquiries necessary to ascertain whether the sanctions should be modified or whether the proceedings should be referred to the student conduct committee for a formal adjudicative hearing. (4) The decision on review must be in writing and must include a brief statement of the reasons for the decision and must be served on the parties within 20 calendar days of the initial decision or of the request for review, whichever is later. The decision on review will contain a notice that judicial review may be available. A request for review may be deemed to have been denied if the president does not make a disposition of the matter within 20 calendar days after the request is submitted. (5) If the president upon review determines that the respondent's conduct may warrant imposition of a disciplinary suspension of more than 10 instructional days or expulsion, the matter shall be referred to the student conduct committee for a disciplinary hearing.

**WAC 132A-127-060 Student conduct committee.** (1) The student conduct committee shall consist of five members:

- (a) Two full-time students appointed by the student government;
- (b) Two faculty members appointed by the president or designee;
- (c) One faculty member or administrator (other than an administrator serving as a student conduct or conduct review officer) appointed by the president at the beginning of the academic year.

(2) The faculty member or administrator appointed on a yearly basis shall serve as the chair of the committee and may take action on preliminary hearing matters prior to convening the committee.

(3) Hearings may be heard by a quorum of three members of the committee so long as the chair, one faculty member, and one student are included on the hearing panel. Committee action may be taken upon a majority vote of all committee members attending the hearing.

(4) Members of the student conduct committee shall not participate in any case in which they are a party, complainant, or witness, in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity. Any party may petition the committee for disqualification of a committee member.

(5) For cases involving allegations of sex discrimination, including sex-based harassment, members of the student conduct committee must receive training on serving impartially, avoiding prejudgment of facts at issue, conflicts of interest, and bias. The chair must also receive training on the student conduct process for sex discrimination cases, as well as the meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible, regardless of relevance in accordance with 34 C.F.R. §§ 106.45 and 106.46.

(6) The college may, in its sole and exclusive discretion, for sex discrimination or other conduct cases, contract with an administrative law judge or other qualified person to act as the presiding officer, authorized to exercise any or all duties of the student conduct committee and/or committee chair.

**WAC 132A-127-065 Student conduct committee—Prehearing.** (1) Proceedings of the student conduct committee shall be governed by the Administrative Procedure Act, chapter 34.05 RCW.

(2) The student conduct committee chair shall serve all parties with written notice of the hearing not less than seven calendar days in advance of the hearing date. The chair may shorten this notice period if both parties agree, and also may continue the hearing to a later time for good cause shown. The notice must include:

- (a) A copy of the student conduct code;
- (b) The basis for jurisdiction;
- (c) The alleged violation(s);
- (d) A summary of facts underlying the allegations;
- (e) The range of possible sanctions that may be imposed; and
- (f) A statement that retaliation is prohibited.

(3) The chair is authorized to conduct prehearing conferences and/or to make prehearing decisions concerning the extent and form of any discovery, issuance of protective decisions, and similar procedural matters.

(4) Upon request filed at least five calendar days before the hearing by any party or at the direction of the chair, the parties shall exchange, no later than the third day prior to the hearing, lists of potential witnesses and copies of potential exhibits that they reasonably expect to present to the committee. Failure to participate in good faith in such a requested exchange may be cause for exclusion from the hearing of any witness or exhibit not disclosed, absent a showing of good cause for such failure.

(5) The chair may provide to the committee members in advance of the hearing copies of:

- (a) The student conduct officer's notification of imposition of discipline (or referral to the committee); and
- (b) The notice of appeal (or any response to referral) by the respondent. If doing so; however, the chair should remind the members that these "pleadings" are not evidence of any facts they may allege.

(6) The parties may agree before the hearing to designate specific exhibits as admissible without objection and, if they do so, whether the committee chair may provide copies of these admissible exhibits to the committee members before the hearing.

(7) The student conduct officer shall provide reasonable assistance to the respondent and complainant in procuring the presence of college students, employees, staff, and volunteers to appear at a hearing, provided the respondent and complainant provide a witness list to the student conduct officer no less than three business days in advance of the hearing. The student conduct officer shall notify the respondent and complainant no later than 24 hours in advance of the hearing if they have been unable to contact any prospective witnesses to procure their appearance at the hearing. The committee chair will determine how to handle the absence of a witness and shall describe on the record their rationale for any decision.

(8) Communications between committee members and other hearing participants regarding any issue in the proceeding, other than procedural communications that are necessary to maintain an orderly process, are generally prohibited without notice and opportunity for all parties to participate, and any improper "ex parte" communication shall be placed on the record, as further provided in RCW 34.05.455.

(9) In cases heard by the committee, each party may be accompanied at the hearing by an advisor of their choice, which may be an attorney retained at the party's expense.

(10) The committee will ordinarily be advised by an assistant attorney general or their designee. If the respondent and/or the complainant is represented by an attorney, the student conduct officer may be represented by an assistant attorney general.

(11) Attorneys for students must file a notice of appearance with the committee chair at least four business days before the hearing. Failure to do so may, at the discretion of the committee chair, result in a waiver of the attorney's ability to represent the student at the hearing, although an attorney may still serve as an advisor to the student.

(12) In cases involving allegations of sex discrimination, the complainant has a right to participate equally in any part of the disciplinary process, including appeals. Respondent and complainant both have the following rights:

(a) **Notice.** The college must provide a notice that includes all information required in subsection (2) of this section, and a statement that the parties are entitled to an equal opportunity to access relevant and permissible evidence, or a description of the evidence upon request.

(b) **Advisors.** The complainant and respondent are both entitled to have an advisor present, who may be an attorney retained at the party's expense.

(c) **Extensions of time.** The chair may, upon written request of any party and a showing of good cause, extend the time for disclosure of witness and exhibit lists, accessing and reviewing evidence, or the hearing date, in accordance with the procedures set forth in subsection (13)(b) of this section.

(d) **Evidence.** In advance of the hearing, the student conduct officer shall provide reasonable assistance to the respondent and complainant in accessing and reviewing the investigative report and relevant and not otherwise impermissible evidence that is within the college's control.

(e) **Confidentiality.** The college shall take reasonable steps to prevent the unauthorized disclosure of information obtained by a party solely through the disciplinary process, which may include, but are not limited to, directives by the student conduct officer or chair pertaining to the dissemination, disclosure, or access to evidence outside the context of the disciplinary hearing.

(13) In cases involving allegations of sex-based harassment, the following additional procedures apply:

(a) **Notice.** In addition to all information required in subsection (2) of this section, the notice must also inform the parties that:

(i) The respondent is presumed not responsible for the alleged sex-based harassment;

(ii) The parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decision maker;

(iii) They may have an advisor of their choice, who may be an attorney, to assist them during the hearing; and

(iv) They are entitled to an equal opportunity to access relevant and not otherwise impermissible evidence in advance of the hearing; and

(v) The student conduct code prohibits knowingly making false statements or knowingly submitting false information during a student conduct proceeding.

(b) **Extensions of time.** The chair may, upon written request of any party and a showing of good cause, extend the time for disclosure of witness and exhibit lists, accessing and reviewing evidence, or the hearing date. The party requesting an extension must do so no later than 48 hours before any date specified in the notice of hearing or by the chair in any prehearing conference. The written request must be served simultaneously by email to all parties and the

chair. Any party may respond and object to the request for an extension of time no later than 24 hours after service of the request for an extension. The chair will serve a written decision upon all parties, to include the reasons for granting or denying any request. The chair's decision shall be final. In exceptional circumstances, for good cause shown, the chair may, in their sole discretion, grant extensions of time that are made less than 48 hours before any deadline.

(c) **Advisors.** The college shall provide an advisor to the respondent and any complainant, if the respondent or complainant have not otherwise identified an advisor to assist during the hearing.

(d) **Evidence.** In advance of the hearing, the student conduct officer shall provide reasonable assistance to the respondent and complainant in accessing and reviewing the investigative report and relevant and not otherwise impermissible evidence that is within the college's control.

(e) **Confidentiality.** The college shall take reasonable steps to prevent the unauthorized disclosure of information obtained by a party solely through the disciplinary process, which may include, but are not limited to, directives by the student conduct officer or chair is-suing directives pertaining to the dissemination, disclosure, or access to evidence outside the context of the disciplinary hearing.

(f) **Separate locations.** The chair may, or upon the request of any party, must, conduct the hearing with the parties physically present in separate locations, with technology enabling the committee and parties to simultaneously see and hear the party or the witness while that person is speaking.

(g) **Withdrawal of complaint.** If a complainant wants to voluntarily withdraw a complaint, they must provide notice to the college in writing before a case can be dismissed.

**WAC 132A-127-070 Student conduct committee—Presentation of evidence.** (1) Upon the failure of any party to attend or participate in a hearing, the student conduct committee may either:

(a) Proceed with the hearing and issuance of its decision; or

(b) Serve a decision of default in accordance with RCW 34.05.440.

(2) The hearing will ordinarily be closed to the public. However, if all parties agree on the record that some or all of the proceedings be open, the chair shall determine any extent to which the hearing will be open. If any person disrupts the proceedings, the chair may exclude that person from the hearing room.

(3) The chair shall cause the hearing to be recorded by a method that they select, in accordance with RCW 34.05.449. That recording, or a copy, shall be made available to any party upon request. The chair shall ensure maintenance of the record of the proceeding that is re-quired by RCW 34.05.476, which shall also be available upon request for inspection and copying by any party. Other recording shall also be permitted, in accordance with WAC 10-08-190.

(4) The chair shall preside at the hearing and decide procedural questions that arise during the hearing, except as overridden by majority vote of the committee.

(5) The student conduct officer (unless represented by an assistant attorney general) shall present the college's case.

(6) All testimony shall be given under oath or affirmation. Except as otherwise provided in this section, evidence shall be admitted or excluded in accordance with RCW 34.05.452.

(7) In cases involving allegations of sex-based harassment, the complainant and respondent may not directly question one another or other witnesses. In such circumstances, the chair will determine whether questions will be submitted to the chair, who will then ask questions of the parties and witnesses, or allow questions to be asked directly of any party or witnesses by a party's attorney or advisor. The committee chair may revise this process if, in the chair's determination, the questioning by any party, attorney, or advisor, becomes contentious or harassing.

(a) Prior to any question being posed to a party or witness, the chair must determine whether the question is relevant and not otherwise impermissible; and must explain any decision to

exclude a question that is deemed not relevant, or is otherwise impermissible. The chair will retain for the record copies of any written questions provided by any party.

(b) The chair must not permit questions that are unclear or harassing; but shall give the party an opportunity to clarify or revise such a question.

(c) The chair shall exclude and the committee shall not consider legally privileged information unless the individual holding the privilege has waived the privilege. Privileged information includes, but is not limited to information protected by the following:

(i) Spousal/domestic partner privilege;

(ii) Attorney-client communications and attorney work product privilege;

(iii) Clergy privileges;

(iv) Medical or mental health providers and counselor privileges;

(v) Sexual assault and domestic violence advocate privileges; and

(vi) Other legal privileges set forth in RCW 5.60.060 or federal law.

(d) The chair shall exclude and the committee shall not consider questions or evidence that relate to the complainant's sexual interests or prior sexual conduct, unless such question or evidence is offered to prove someone other than the respondent committed the alleged conduct, or is evidence of specific instances of prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

(e) The committee may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The committee must not draw an inference about whether sex-based harassment occurred based solely on a party's or witness's refusal to respond to such questions.

(8) Except in cases involving allegations of sex-based harassment, the chair has the discretion to determine whether a respondent may directly question any witnesses; and if not, to determine whether questions must be submitted to the chair to be asked of witnesses, or to allow questions to be asked by an attorney or advisor for the respondent.

**WAC 132A-127-075 Student conduct committee—Initial decision.** (1) At the conclusion of the hearing, the committee chair shall permit the parties to make closing arguments in whatever form, written or verbal, the committee wishes to receive them. The committee also may permit each party to propose findings, conclusions, and/or a proposed decision for its consideration.

(2) Within 20 calendar days following the later of the conclusion of the hearing or the committee's receipt of closing arguments, the committee shall issue a decision in accordance with RCW 34.05.461 and WAC 10-08-210. The decision shall include findings on all material issues of fact and conclusions on all material issues of law, including which, if any, provisions of the student conduct code were violated. Any findings based substantially on the credibility of evidence or the demeanor of witnesses shall be so identified and explained.

(3) The committee's decision shall also include a determination of appropriate sanctions, if any. If the matter was referred to the committee by the student conduct officer, the committee shall identify and impose disciplinary sanction(s) or conditions (if any) as authorized in the student code. If the matter is an appeal by a party, the committee may affirm, reverse, or modify the disciplinary sanction and/or conditions imposed by the student conduct officer and/or impose additional disciplinary sanction(s) or conditions as authorized here-in.

(4) The committee chair shall cause copies of its decision to be served on the parties and their attorney, if any. The notice will inform all parties of their appeal rights. The committee chair shall also promptly transmit a copy of the decision and the record of the committee's proceedings to the president.

(5) In cases involving sex-based harassment, the initial decision shall be served on all parties simultaneously, as well as the Title IX coordinator.

**WAC 132A-127-080 Student conduct committee—Review of initial decision.** (1) Any party, including a complainant in sex-based harassment cases, may appeal the committee's decision to the president by filing a written appeal with the president's office within 21 calendar days of service of the committee's decision. Failure to file a timely appeal constitutes a waiver of the right and the decision shall be deemed final.

(2) The written appeal must identify the specific findings of fact and/or conclusions of law in the decision that are challenged and must contain argument why the appeal should be granted.

Appeals may be based upon, but are not limited to:

(a) Procedural irregularity that would change the outcome;

(b) New evidence that would change the outcome and that was not reasonably available when the initial decision was made; and

(c) The investigator, decision maker, or Title IX coordinator had a conflict of interest or bias for or against a respondent or complainant individually or respondents or complainants generally.

(3) Upon receiving a timely appeal, the president or a designee will promptly serve a copy of the appeal on all nonappealing parties, who will have 10 business days from the date of service to submit a written response addressing the issues raised in the appeal to the president or a designee, and serve it on all parties. Failure to file a timely response constitutes a waiver of the right to participate in the appeal.

(4) If necessary to aid review, the president may ask for additional briefing from the parties on issues raised on appeal. The president's review shall be restricted to the hearing record made before the student conduct committee and will normally be limited to a review of those issues and arguments raised in the appeal.

(5) The president shall serve a written decision on all parties and their attorneys, if any, within 20 calendar days after receipt of the appeal. The president's decision shall be final and subject to judicial review pursuant to chapter 34.05 RCW, Part V.

(6) In cases involving allegations of sex-based harassment, the president's decision must be served simultaneously on the complainant, respondent, and Title IX coordinator.

(7) The president shall not engage in an ex parte communication with any of the parties regarding an appeal.

**WAC 132A-127-085 Summary suspension.** (1) Summary suspension is a temporary exclusion from specified college premises or denial of access to all activities or privileges for which a respondent might otherwise be eligible, while an investigation and/or formal disciplinary procedures are pending.

(2) The student conduct officer may impose a summary suspension if there is probable cause to believe that the respondent:

(a) Has violated any provision of the code of conduct; and

(b) Presents an immediate danger to the health, safety, or welfare of members of the college community; or

(c) Poses an ongoing threat of substantial disruption of, or interference with, the operations of the college.

(3) Notice. Any respondent who has been summarily suspended shall be served with oral or written notice of the summary suspension. If oral notice is given, a written notification shall be served on the respondent within two business days of the oral notice.

(4) The written notification shall be entitled "notice of summary suspension" and shall include:

(a) The reasons for imposing the summary suspension, including a description of the conduct giving rise to the summary suspension and reference to the provisions of the student conduct code or the law(s) allegedly violated;



- (b) The date, time, and location when the respondent must appear before the conduct review officer for a hearing on the summary suspension; and
- (c) The conditions, if any, under which the respondent may physically access the campus or communicate with members of the campus community. If the respondent has been trespassed from the campus, a no-tice against trespass shall be included warning respondent that their privilege to enter into or remain on college premises has been with-drawn, and that the respondent shall be considered trespassing and subject to arrest for criminal trespass if they enter the college campus other than to meet with the student conduct officer or conduct re-view officer, or to attend a disciplinary hearing.
- (5) The conduct review officer shall conduct a hearing on the summary suspension as soon as practicable after imposition of the summary suspension.
- (a) During the summary suspension hearing, the issue before the conduct review officer is whether there is probable cause to believe that the summary suspension should be continued pending the conclusion of disciplinary proceedings and/or whether the summary suspension should be less restrictive in scope.
- (b) The respondent shall be afforded an opportunity to explain why summary suspension should not be continued while disciplinary proceedings are pending or why the summary suspension should be less re-strictive in scope.
- (c) If the respondent fails to appear at the designated hearing time, the conduct review officer may order that the summary suspension remain in place pending the conclusion of the disciplinary proceedings.
- (d) As soon as practicable following the hearing, the conduct re-view officer shall issue a written decision which shall include a brief explanation for any decision continuing and/or modifying the summary suspension and notice of any right to appeal.
- (e) To the extent permissible under applicable law, the conduct review officer shall provide a copy of the decision to all persons or offices who may be bound or protected by it.
- (6) In cases involving allegations of sex discrimination, the complainant shall be notified that a summary suspension has been im-posed on the same day that the summary suspension notice is served on the respondent. The college will also provide the complainant with timely notice of any subsequent changes to the summary suspension order.

## Appendix 12

Subject: Non-Discrimination and Anti-Harassment Procedure Reference #: 501.01 Statutory Authority: See Policy 501 Date Adopted: December 5, 1997 Date Revised: 03/10/2021 Reviewed: 03/10/2021 Lead Administrator: Vice President for HR/DEI Category: General HOW TO FILE A COMPLAINT Any employee, applicant, student or visitor of the College may file a complaint with the Title IX Coordinator. If the complaint is against that Coordinator, the complainant should report the matter to the president's office for referral to an alternate designee. Complaints may be submitted in writing or verbally. The College encourages the timely reporting of any incidents of discrimination or harassment. For complainants who wish to submit a written complaint, a formal complaint form is available online at [https://pencoladvocate.symplicity.com/public\\_report/index.php/pid689344](https://pencoladvocate.symplicity.com/public_report/index.php/pid689344). Hardcopies of the complaint form are available at the following locations on campus: Human Resources Office. Any person submitting a discrimination complaint shall be provided with a written copy of the College's anti-discrimination policies and procedures. CONFIDENTIALITY AND RIGHT TO PRIVACY Peninsula College will seek to protect the privacy of the complainant to the full extent possible, consistent with the legal obligation to investigate, take appropriate remedial and/or disciplinary action, and comply with the federal and state law, as well as Peninsula College policies and procedures. Although Peninsula College will attempt to honor complainants' requests for confidentiality, it cannot guarantee complete confidentiality. Determinations regarding how to handle requests for confidentiality will be made by the Title IX / EEO Coordinator. Confidentiality Requests and Sexual Violence Complaints. The Title IX / EEO Coordinator will inform and obtain consent from the complainant before commencing an investigation into a sexual violence complaint. If a sexual violence complainant asks that their name not be revealed to the respondent or that the College not investigate the allegation, the Title IX / EEO Coordinator will inform the complainant that maintaining confidentiality may limit the college's ability to fully respond to the allegations and that retaliation by the respondent and/or others is prohibited. If the complainant still insists that their name not be disclosed or that the College not investigate, the Title IX / EEO Coordinator will determine whether the College can honor the request and at the same time maintain a safe and non-discriminatory environment for Non-Discrimination and Anti-Harassment Procedure - 501.01 Page 2 of 6 all members of the college community, including the complainant. Factors to be weighed during this determination may include, but are not limited to: • the seriousness of the alleged sexual violence; • the age of the complainant; • whether the sexual violence was perpetrated with a weapon; • whether the respondent has a history of committing acts of sexual violence or violence or has been the subject of other sexual violence complaints • whether the respondent threatened to commit additional acts of sexual violence against the complainant or others; and • whether relevant evidence can be obtained through other means (e.g., security cameras, other witnesses, physical evidence). If the College is unable to honor a complainant's request for confidentiality, the Title IX / EEO Coordinator will notify the complainant of the decision and ensure that complainant's identity is disclosed only to the extent reasonably necessary to effectively conduct and complete the investigation. If the College decides not to conduct an investigation or take disciplinary action because of a request for confidentiality, the Title IX / EEO Coordinator will evaluate whether other measures are available to limit the effects of the harassment and prevent its recurrence and implement such measures if reasonably feasible. INVESTIGATION PROCEDURE Upon receiving a discrimination complaint, the College shall commence an impartial investigation. The Title IX / EEO Coordinator shall be responsible for

overseeing all investigations. Investigations may be conducted by the Title IX / EEO Coordinator or their designee. If the investigation is assigned to someone other than the Title IX / EEO Coordinator, the Title IX / EEO Coordinator shall inform the complainant and respondent(s) of the appointment of an investigator. Interim Measures. The Title IX / EEO Coordinator may impose interim measures to protect the complainant and/or respondent pending the conclusion of the investigation. Interim measures may include, but are not limited to, imposition of no contact orders, rescheduling classes, temporary work reassignments, referrals for counseling or medical assistance, and imposition of a summary suspension in compliance with the College's student conduct code or an administrative leave of absence in compliance with the College's employment policies and collective bargaining agreements. Informal Dispute Resolution. Informal dispute resolution processes, like mediation, may be used to resolve complaints, when appropriate. Informal dispute resolution shall not be used to resolve sexual discrimination complaints without written permission from both the complainant and the respondent. If the parties elect to mediate a dispute, either party shall be free to Non-Discrimination and Anti-Harassment Procedure - 501.01 Page 3 of 6 discontinue mediation at any time. In no event shall mediation be used to resolve complaints involving allegations of sexual violence. Investigation. Complaints shall be thoroughly and impartially investigated. The investigation shall include, but is not limited to, interviewing the complainant and the respondent, relevant witnesses, and reviewing relevant documents. The investigation shall be concluded within a reasonable time, normally ninety days unless there is good cause shown. If it appears completion of the investigation will take longer than ninety days, the Title IX/EEO Coordinator will notify the parties, describe the reasons for the delay, and provide an estimated time for completing the investigation. At the conclusion of the investigation, the investigator shall set forth their findings in writing. If the investigator is someone other than the Title IX / EEO Coordinator, the investigator shall send a copy of the findings to the Title IX / EEO Coordinator. The Title IX / EEO Coordinator will provide each party and the appropriate student services administrator or appointing authority with written notice of the investigative findings, subject to the following limitations. The complainant shall be informed in writing of the findings only to the extent that such findings directly related to the complainant's allegations. The complainant may be notified generally that the matter has been referred for disciplinary action. The respondent shall be informed in writing of the findings and of actions taken or recommended to resolve the complaint and shall be notified of referrals for disciplinary action. Both the complainant and the respondent are entitled to review the investigative findings subject to any FERPA confidentiality requirements. Final Decision/Reconsideration. Either the complainant or the respondent may seek reconsideration of the investigation findings. Requests for reconsideration shall be submitted in writing to the Title IX / EEO Coordinator within seven calendar days of receiving the investigation report. Requests must specify which portion of the findings should be reconsidered and the basis for reconsideration. If no request for reconsideration is received within seven calendar days, the findings become final. If a request for reconsideration is received, the Title IX / EEO Coordinator shall respond within 14 calendar days. The Title IX / EEO Coordinator shall either deny the request or, if the Title IX / EEO Coordinator determines that the request for reconsideration has merit, issue amended findings. Any amended findings are final and no further reconsideration is available. PUBLICATION OF ANTI-DISCRIMINATION POLICIES AND PROCEDURES The policies and procedures regarding complaints of discrimination and harassment shall be published and distributed as determined by the president or president's designee. Any person who believes he or she has been subjected to discrimination in violation of College policy will be provided a copy of these policies and procedures. Non-Discrimination

and Anti-Harassment Procedure - 501.01 Page 4 of 6 LIMITS TO AUTHORITY Nothing in this procedure shall prevent the College President or designee from taking immediate disciplinary action in accordance with Peninsula College policies and procedures, and federal, state, and municipal rules and regulations. NON-RETALIATION, INTIMIDATION AND COERCION Retaliation by, for or against any participant (including complainant, respondent, witness, Title IX / EEO Coordinator, or investigator) is expressly prohibited. Retaliatory action of any kind taken against individuals as a result of seeking redress under the applicable procedures or serving as a witness in a subsequent investigation or any resulting disciplinary proceedings is prohibited and is conduct subject to discipline. Any person who thinks he/she has been the victim of retaliation should contact the Title IX / EEO Coordinator immediately. CRIMINAL COMPLAINTS Discriminatory or harassing conduct may also be, or occur in conjunction with, criminal conduct. Criminal complaints may be filed with the following law enforcement authorities: City of Port Angeles Police Department 321 East 5th Street Port Angeles, WA 98362 Phone: 360-452-4545 <http://wa-portangeles.civicplus.com/288/Police-Department> City of Forks Police Department 500 East Division Street Forks, WA 98331 Phone: 360-374-2223 <http://forkswashington.org/police-and-corrections> City of Port Townsend Police Department 1925 Blain Suite 100 Port Townsend, WA 98368 Phone: 360-385-2322 <http://cityofpt.us/police.htm> Non-Discrimination and Anti-Harassment Procedure - 501.01 Page 5 of 6 City of Sequim Police Department 152 W. Cedar Street Sequim, WA 98382 Phone: (360) 683-7227 <https://www.sequimwa.gov/111/Police> Clallam County Sheriff Department 223 East 4th Street Port Angeles, WA 98362 Phone: 360-417-2459 <http://www.clallam.net/sheriff/> Jefferson County Sheriff Department 79 Elkins Road Port Hadlock, WA 98339 Phone: 360-385-3831 <http://www.jeffersonsheriff.org/> The College will proceed with an investigation of harassment and discrimination complaints regardless of whether the underlying conduct is subject to civil or criminal prosecution. OTHER DISCRIMINATION COMPLAINT OPTIONS Discrimination complaints may also be filed with the following federal and state agencies: Washington State Human Rights Commission, <http://www.hum.wa.gov/index.html> US Dept of Education Office for Civil Rights, <http://www2.ed.gov/about/offices/list/ocr/index.html> Equal Employment Opportunity Commission, <http://www.eeoc.gov>

## Appendix 13

Procedure Subject: Supplemental Title IX Employee Disciplinary Hearing Procedure Reference #: 501.03 Statutory Authority: See Policy 501 Date Adopted: August 11, 2020 Date Revised: 03/10/2021 Reviewed: 03/10/2021 Lead Administrator: Vice President for HR/DEI Category: General I. Order of Precedence This supplemental employee discipline procedure applies to allegations of Sexual Harassment subject to Title IX jurisdiction pursuant to regulations promulgated by the United States Department of Education. See 34 C.F.R. § 106. Disciplinary proceedings against an employee respondent alleged to have engaged in sexual harassment in violation of Title IX shall be governed by Peninsula College's administrative hearing practices and procedures and this supplemental hearing procedure. To the extent the supplemental hearing procedure conflicts with provisions set forth in employment contracts, collective bargaining agreements, employee handbooks, and other Peninsula College employment policies and procedures, this supplemental hearing procedure will take precedence. Notwithstanding the foregoing, if Respondent is a tenured or probationary faculty member and the employee disciplinary officer determines that the allegations in the investigation, if true, would warrant Respondent's dismissal from the College, the employee disciplinary officer will refer the matter to the Tenure Dismissal Committee for a hearing pursuant to RCW 28B.50.863 and applicable procedures set forth in the faculty union Collective Bargaining Agreement (CBA). To the extent the Tenure Dismissal Committee procedures are inconsistent or conflict with Sections II through VII of this Supplement Procedure, those Supplement Procedure sections will prevail. At the end of the hearing, the Tenure Dismissal Committee will issue a Recommendation consistent with the provisions set forth in Section VIII. Complainant shall have the same right to appear and participate in the proceedings as the Respondent, including the right to present their position on the Recommendation to the appointing authority before final action is taken. II. Prohibited Conduct Under Title IX Pursuant to Title IX of the Education Act Amendments of 1972, 20 U.S.C. §1681, Peninsula College may impose disciplinary sanctions against an employee who commits, attempts to commit, or aids, abets, incites, encourages, or assists another person to commit, an act(s) of "sexual harassment." Supplemental Title IX Employee Disciplinary Hearing Procedure - 501.03 Page 2 of 7 For purposes of this supplemental procedure, "Sexual Harassment" encompasses the following conduct: A. Quid pro quo harassment. A Peninsula College employee conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct. B. Hostile environment. Unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Peninsula College's educational programs or activities, or employment. C. Sexual assault. Sexual assault includes the following conduct: 1. Nonconsensual sexual intercourse. Any actual or attempted sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact. 2. Nonconsensual sexual contact. Any actual or attempted sexual touching, however slight, with any body part or object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner. 3. Incest. Sexual intercourse or sexual contact with a person known to be related to them, either legitimately or illegitimately, as an ancestor, descendant, brother, or sister of either wholly or half related. Descendant includes stepchildren and adopted children under the age of eighteen (18). 4. Statutory rape. Consensual sexual intercourse between someone who is eighteen (18) years of age or older and someone who is under the age of sixteen (16). D. Domestic violence. Physical violence, bodily injury, assault, the

infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Washington, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Washington, RCW 26.50.010. E. Dating violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors: 1. The length of the relationship; Supplemental Title IX Employee Disciplinary Hearing Procedure - 501.03 Page 3 of 7 2. The type of relationship; and 3. The frequency of interaction between the persons involved in the relationship. F. 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. III. Title IX Jurisdiction A. This supplemental procedure applies only if the alleged misconduct: 1. Occurred in the United States; 2. Occurred during a Peninsula College educational program or activity; and 3. Meets the definition of Sexual Harassment as that term is defined in this supplemental procedure. B. For purposes of this supplemental procedure, an "educational program or activity" is defined as locations, events, or circumstances over which Peninsula College exercised substantial control over both the Respondent and the context in which the alleged Sexual Harassment occurred. This definition includes any building owned or controlled by a student organization that is officially recognized by Peninsula College. C. Proceedings under this supplemental procedure must be dismissed if the decision maker determines that one or all of the requirements of Section A (1)-(3) have not been met. Dismissal under this supplemental procedure does not prohibit Peninsula College from pursuing disciplinary action against a Respondent based on allegations that the Respondent engaged in other misconduct prohibited by federal or state law, employment contracts or handbooks, or other Peninsula College policies. D. If the employee disciplinary officer determines the facts in the investigation report are not sufficient to support Title IX jurisdiction and/or pursuit of a Title IX violation, the employee disciplinary officer will issue a notice of dismissal in whole or part to both parties explaining why some or all of the Title IX claims have been dismissed. IV. Initiation of Discipline A. Upon receiving the Title IX investigation report from the Title IX Coordinator, the employee disciplinary officer will independently review the report to determine whether there are sufficient grounds to pursue a disciplinary action against the Respondent for engaging in prohibited conduct under Title IX. B. If the employee disciplinary officer determines that there are sufficient grounds to proceed under these supplemental procedures, the employee disciplinary officer will initiate a Title IX disciplinary proceeding by filing a written disciplinary notice with the decision maker and by serving the notice on the Respondent and the Complainant, and their respective advisors. The notice must: Supplemental Title IX Employee Disciplinary Hearing Procedure - 501.03 Page 4 of 7 1. Set forth the basis for Title IX jurisdiction; 2. Identify the alleged Title IX violation(s); 3. Set forth the facts underlying the allegation(s); 4. Identify the range of possible sanctions that may be imposed if the Respondent is found responsible for the alleged violation(s); 5. Explain that each Party is entitled to be accompanied by an Advisor of their own choosing during the hearing and that: a. Advisors will be responsible for questioning all witnesses on the Party's behalf; b. An Advisor may be an attorney and/or, if the Party is a represented employee, a union representative; c. A represented employee who chooses an Advisor who is not a union representative must submit a signed waiver of union representation that includes consent from the union; and d. Peninsula College will appoint the Party an Advisor of Peninsula College's choosing at no cost to the Party, if the Party fails to choose an Advisor; and 6. Explain that if a Party fails to appear at the hearing, a decision of responsibility may be made in the Party's absence. C. Service of the disciplinary

notice or any other document required to be served under this supplemental procedure may be done personally or by first class, registered, or certified mail, or by electronic mail to the Party's Peninsula College email address.

V. Pre-Hearing Procedure

A. Upon receiving the disciplinary notice, the decision maker will send a hearing notice to all parties in compliance with WAC 10-08-040. Pursuant to Peninsula College Board Policy and Procedure 501, the hearing date may not be scheduled less than ten (10) calendar days after the Title IX Coordinator provided the Final Investigation Report to the Parties. Peninsula College may, at its discretion, contract with an administrative law judge or other person to act as the decision maker.

B. A Party is entitled to be accompanied by an Advisor of their choice during the disciplinary process at the Party's own expense. The Advisor may be an attorney and/or, if the Party is a represented employee, a union representative.

1. If the Advisor is an attorney, the Advisor must file a notice of appearance with the decision maker with copies to all parties and the employee disciplinary officer at least five (5) calendar days before the hearing. If a notice of appearance is not filed within this timeframe, the Party will be deemed to have waived their right to have an attorney as an Advisor.

2. If a Party is a represented employee who chooses not to use a union-provided Advisor, the Party must provide the decision maker with a signed waiver of union representation, including written consent from the union.

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C. In preparation for the hearing, the Parties will have equal access to all evidence gathered by the investigator during the investigation, regardless of whether Peninsula College intends to offer the evidence at the hearing.

VI. Rights of Parties

A. The provisions of this supplemental procedure shall apply equally to all parties.

B. Peninsula College bears the burden of offering and presenting sufficient testimony and evidence to establish that the Respondent is responsible for a Title IX violation by a preponderance of the evidence.

C. The Respondent will be presumed not responsible until such time as the disciplinary process has been finally resolved.

D. During the hearing, the Complainant and the Respondent shall be represented by an Advisor. These Parties are entitled to an Advisor of their own choosing and the Advisor may be an attorney or, if the Respondent holds a represented position, a union representative. If a party does not choose an Advisor, then the Title IX Coordinator will appoint an Advisor of the College's choosing on the Party's behalf at no expense to the Party.

VII. Evidence

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

A. Relevance: The Committee Chair shall review all questions for relevance and shall explain on the record their reasons for excluding any question based on lack of relevance.

B. Relevance means that information elicited by the question makes a fact in dispute more or less likely to be true.

C. Questions or evidence about a Complainant's sexual predisposition or prior sexual behavior are not relevant and must be excluded, unless such question or evidence:

1. Is asked or offered to prove someone other than the Respondent committed the alleged misconduct; or

2. Concerns specific incidents of prior sexual behavior between the Complainant and the Respondent, which are asked or offered on the issue of consent.

D. No negative inference: The decision maker may not make an inference regarding responsibility solely on a witness's or party's absence from the hearing or refusal to answer questions.

E. Privileged evidence: The decision maker shall not consider legally privileged information unless the holder has effectively waived the privilege. Privileged information includes, but is not limited to, information protected by the following:

1. Spousal/domestic partner privilege;

2. Attorney-Client and attorney work product privileges;

3. Privileges applicable to members of the clergy and priests;

4. Privileges applicable to medical providers, mental health therapists, and counsellors;

5. Privileges applicable to sexual assault and domestic violence advocates; and

6. Other legal privileges identified in RCW 5.60.060.

Supplemental Title IX Employee Disciplinary Hearing Procedure - 501.03 Page 6 of 7

VIII. Initial Order

A. The decision maker will be responsible for drafting an Initial Order that:

1. Identifies the allegations of sexual harassment;

2. Describes the grievance and disciplinary procedures, starting with filing of the formal complaint through the determination of responsibility, including

notices to parties, interviews with witnesses and parties, site visits, methods used to gather evidence, and hearings held; 3. Makes findings of fact supporting the determination of responsibility; 4. Reaches conclusions as to whether the facts establish whether the Respondent is responsible for engaging in Sexual Harassment in violation of Title IX; 5. Contains a statement of, and rationale for, the Committee's determination of responsibility for each allegation; 6. Describes any disciplinary sanction or conditions imposed against the Respondent, if any; 7. Describes to what extent, if any, Complainant is entitled to remedies designed to restore or preserve Complainant's equal access to Peninsula College's education programs or activities; and 8. Describes the process for appealing the Initial Order to the College President. B. The decision maker will serve the Initial Order on the Parties simultaneously. IX. Appeals A. All Parties, including the employee disciplinary officer in their capacity as a representative of the College, have the right to appeal from the determination of responsibility and/or from a dismissal, in whole or part, of a formal complaint during the investigative or hearing process. Appeals must be in writing and filed with the appeal officer within twenty-one (21) days of service of the initial order or notice of dismissal. Appeals must identify the specific findings of fact and/or conclusions of law in the initial order or dismissal being challenged and must contain argument as to why the appeal should be granted. Failure to file a timely appeal constitutes a waiver of the right to appeal and the initial order or dismissal shall be deemed final. To the extent they are consistent with the provisions of this Procedure, the right to appeal is subject to the same procedures and timeframes set forth in WAC 132A-126. B. Upon receiving a timely appeal, the appeal officer will serve a copy of the appeal on all nonappealing parties, who will have ten (10) days from the date of service to submit written responses to the appeal officer addressing issues raised in the appeal. Failure to file a timely response constitutes a waiver of the right to participate in the appeal. Upon receipt of written responses, the appeal officer shall serve copies of the responses to the appealing party. C. The appealing party shall have five (5) days from the date of service to submit a written reply addressing issues raised in the responses to the appeal officer. D. The appeal officer, based on their review of the parties' submissions and the hearing or investigative record, will determine whether the grounds for appeal have merit, provide the rationale for this conclusion, and state whether a dismissal is affirmed or denied, or if the Supplemental Title IX Employee Disciplinary Hearing Procedure - 501.03 Page 7 of 7 disciplinary sanctions and conditions imposed in the Initial Order are affirmed, vacated, or amended, and, if amended, set forth the new disciplinary sanctions and conditions. E. The appeal officer shall serve the Final Decision on the parties simultaneously. F. All decisions reached through this process are final and may be judicially appealed pursuant to applicable provisions of RCW 34.05, including, but not limited to, the timelines set forth in RCW 34.05.542. No decisions or recommendations arising from this disciplinary procedure will be subject to grievance pursuant to any Collective Bargaining Agreement



# Appendix 14

Procedure

Subject: Notification of Registered Sex and Kidnapping Offenders  
Reference #: 525.03 Statutory Authority: See Below

Date Adopted: June 11, 2015  
Date Revised: 02/15/2018  
Reviewed: 02/15/2018

Lead Administrator: Vice President - Finance and Administration Category: General

Statutory Authority:  
RCW 9A.44  
RCW 4.24.550  
34 CFR 668.46

Peninsula College recognizes its general duty to provide a safe teaching and learning environment and a safe workplace with regard to notification of registered sex and kidnapping offenders. This procedure outlines notification requirements.

## NOTIFICATION REQUIREMENTS

Upon notification by the Clallam or Jefferson County sheriffs' offices of level I, II, or III registered sex or kidnapping offenders who are planning to enroll in classes, are enrolled, or those who are employees of the College, the Campus Safety office will initiate the notification process.

The Campus Safety office will:

1. review legal notifications of students and employees bi-quarterly;
2. process legal notifications as received, within two business days of receipt;
3. keep a record of the notification and a copy of the offender notice in a secure, locked location; student records are duplicated in the Vice President of Student Service office and employee records are duplicated in the Human Resource office. These three offices shall work together, under the leadership of the Vice President for Student Service, or designee, to provide the College community with the information necessary to ensure the health and safety of the College and to comply with state and federal law, where applicable.

## AUTHORITY TO RELEASE INFORMATION

The extent of public disclosure of relevant and necessary information shall be directly related to:

Notification of Registered Sex and Kidnapping Offenders - 525.03

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1. the level of risk posed by the offender to the community;
2. the locations where the offender resides, expects to reside, or is regularly found;
3. the needs of the affected community members for information to enhance their individual and collective safety.

Risk Level I Registered Offenders:

The College shall restrict information sharing to personnel who, for security purposes, must be aware of the offender's record.

Risk Level II Registered Offenders:

The College shall restrict information sharing to personnel who, for security purposes, must be aware of the offender's record. This will include disclosure of information to childcare centers, libraries, and common areas where the offender may be regularly found.

#### Risk Level III Registered Offenders:

The College shall restrict information sharing who personnel to, for security purposes, must be aware of the offender's record. This will include disclosure of information to childcare centers, libraries, common areas, and the College community at large.

#### Transient Registered Offenders:

In recognition of the unique risks presented by transient offenders, the College may share information of any transient offender to the College community at large.

#### STUDENT OFFENDER NOTIFICATION

Upon receiving notice of a registered offender, the Vice President of Student Services, or designee, shall make reasonable attempts to contact the student to inform him/her of a mandatory meeting.

This meeting shall occur in a timely fashion and is a requirement of continued enrollment at the College. Failure to comply with the Vice President's summons will result in a disenrollment from all registered courses and a restriction from all College owned or leased property.

The Vice President for Student Services shall provide the student with the following:

1. Safe Environment Board Policy 525
2. Institutional Procedure for Notification of Registered Sex and Kidnapping Offenders, 525.03
3. Code of Student Rights and Responsibilities, 431

#### EMPLOYEE OFFENDER NOTIFICATION

Notification of Registered Sex and Kidnapping Offenders - 525.03

Upon receiving notice of a sexual or kidnapping offender employed by Peninsula College, the Human Resource Director, or designee, shall review the employee's employment application for criminal disclosure. If the position into which the employee is working is in conflict with the offense, the employee will be provided with due process as outlined in the appropriate collective bargaining agreement or policy. If retained, the Human Resources Director, or designee, shall provide the offender with the following:

1. Safe Environment Policy 525
2. Institutional Procedure for Notification of Registered Sex and Kidnapping Offenders, 525.03
3. Appropriate Collective Bargaining Agreements or Policies

# Appendix 15

Board Policy

Subject: Safe Environment

Reference #: 525 Statutory Authority: See Below

Date Adopted: June 11, 2015

Date Revised: 02/15/2018

Reviewed: 02/15/2018

Lead Administrator: Vice President - Finance and Administration Category: General

Statutory Authority:

RCW 28B.50.140

RCW 71.06

RCW 71.09

RCW 4.24.550

RCW 74.13.020

One of the core theme objectives of Peninsula College, derived from its mission and institutional goals, is the Stewardship of its fiscal, physical, and natural assets. Thus, the College will provide a safe environment focused on teaching and learning for its students, employees, and visitors and is committed to minimizing incidents of:

- injury and illness
- displays of violence or intent to conduct violence

Any violation of this policy and its procedures is subject to appropriate disciplinary and/or legal action. Additionally, the college commits to the following:

1. Injury and Illness reporting,
2. Child abuse and neglect reporting,
3. Notification of registered sex and kidnapping offenders on campus,
4. Timely warnings that affect the safety environment of the college,
5. Emergency notifications.

# Appendix 16

## Local Resources List: Welcome!

Looking for information on local services like housing, food, health, and so on? This guide collects what we know about. Please feel welcome to send additions/changes/suggestions to [amcclain@pencol.edu](mailto:amcclain@pencol.edu) for inclusion.

- [Welcome!](#)
- [Addiction Services](#)
- [Children and Family Services](#)
- [Clothing](#)
- [COVID-19](#)
- [Crisis Services](#)
- [DSHS](#)
- [Employment](#)
- [Financial Services](#)
- [Food](#)
- [Health](#)
- [Housing](#)
- [Legal Services](#)
- [Mental Health](#)
- [Re-Entry Services](#)
- [Tribal Assistance Programs](#)
- [Transportation](#)
- [VETS](#)

This guide is intended to share information about social services and resources local to Clallam and Jefferson Counties. A listing on this site should not be considered an endorsement, and we are not responsible for making or facilitating any connections with agencies or programs. We make a good effort to keep this list up to date; please let [amcclain@pencol.edu](mailto:amcclain@pencol.edu) know if you encounter any inaccuracies or have any suggestions or additions. Thanks!

# Appendix 17

Procedure

Subject: Reasonable Accommodation / Academic Adjustment for Individuals with Disabilities

Reference #: 505.01 Statutory Authority:

Date Adopted: July 25, 1995

Date Revised: 02/15/2018

Reviewed: 02/15/2018

Lead Administrator: Vice President for HR/DEI Category: General

## PROCESS OF ACCOMMODATION - EMPLOYEES OR APPLICANTS

Essential job functions will be determined when a position is established, when it becomes vacant, or when duties are changed. The process of selecting reasonable accommodations for each qualified individual with a disability shall be made on a case-by-case basis, appropriate to the essential job functions of the position and the nature and extent of the individual's disability.

A. Possible accommodations will be developed jointly with the person requesting accommodation and the disability support staff.

B. If there are two or more effective accommodations that would allow the individual with a disability to perform the essential job functions, the college shall consider the preference of the individual with a disability before selecting the accommodation to be provided.

C. When an accommodation in an employee's present position is not reasonable or would cause an undue hardship, the college shall attempt to accommodate the employee through reassignment to another vacant position, at the same pay range or lower, for which the employee is qualified. The employee is responsible for identifying types of jobs he/she is interested and qualified for, applying for vacant positions, and notifying the college of any status changes.

## PROCESS OF ACADEMIC ADJUSTMENTS - STUDENTS

A. DEVELOPING ACADEMIC ADJUSTMENTS: Possible adjustments will be developed jointly with the person requesting academic adjustment and the disability support staff. The process of selecting academic adjustments for each qualified student with a disability shall be made on a case-by-case basis, appropriate to the nature and extent of the student's disability. Adjustments include, but are not limited to, physical access; printed materials made available in accessible formats (on tape, in large print, or in Braille); providing a sign language interpreter; modifications to traditional standardized tests (oral presentation rather than written); or less stringent attendance records (should medical commitments merit).

B. PROCEDURES FOR COURSE SUBSTITUTIONS AND WAIVERS: Peninsula College recognizes that certain disabilities may preclude a student from successfully completing a specific course requirement for a degree even with academic adjustments. The college recognizes its obligation to accommodate students with disabilities without compromising the integrity of the academic program.

The Americans with Disabilities Act does not require the college to waive essential requirements of a student's program of instruction. Therefore, every student enrolled in a degree program at the college is required to meet the essential requirements of the degree program.

The college recognizes that altered methods of course delivery and/or providing core services will enable most students with disabilities to successfully complete course requirements except in unusual circumstances. Given accommodation/adjustment, the student with a disability must attempt to successfully complete the required course.

If the student has attempted and been unable to complete the course, the student may request a course substitution under this policy.

Waivers of degree program requirements will rarely be given and then only after the student has attempted, with appropriate academic adjustments, to meet those requirements.

1. Procedure for Requesting Course Substitution:

a) Course substitutions will be approved only when such substitution is consistent with the essential degree requirements.

b) Requests for substitution for a required course shall be considered only when a qualified student with a disability has demonstrated that, even with academic adjustments and auxiliary aids/services provided by the college, the student is unable to successfully complete the course solely because of a disability.

c) All requests for course substitution shall be submitted to the counselor for students with disabilities in a timely manner and shall include the following information:

1. a description of the academic adjustments previously provided to the student for the course;

2. an explanation of the relationship of the student's disability to the lack of success in completing the course;

3. the proposed substitute course, if known;

4. a statement by the student that a good faith effort has been made to complete the required course with academic adjustments; and

5. a release signed by the student, authorizing the Special Needs Academic Advisory Committee to review the documentation on the student's disability and to contact the evaluating doctor or psychologist.

d) The counselor shall forward the request, with documentation and any information received from the student's course instructor, to the Special Needs Academic Advisory Committee.

2. Special Needs Academic Advisory Committee

a) All requests for course substitutions/waivers shall be submitted to the Special Needs Academic Advisory Committee, composed of: the chair of the division in which the course is offered; the director of counseling, the counselor for students with disabilities, and the director of registration.

b) The student requesting substitution and/or an advocate may address the committee

c) Requests for course substitution shall be approved if the committee agrees that the student has made a good faith effort, and if the proposed substitution meets the learning objectives of the degree requirement.

d) The committee shall respond in writing to all requests for course substitutions within two weeks of receiving the request. The response shall include a brief summary of the basis for the decision.

3. Waivers of Degree Requirements Requests for waiver of a program requirement will only be considered if the course substitution is not successful. The Special Needs

Academic Advisory Committee shall consider such requests in the same manner as provided above. The committee shall offer a recommendation to the vice president of educational services who shall make the final decision on requests for waivers.

#### REASONABLE ACCOMMODATION/ACADEMIC ADJUSTMENT DISPUTES

A. If an individual believes the special needs coordinator or the counselor for students with disabilities has not identified or provided reasonable accommodations/academic adjustment or auxiliary aids, the individual may seek review of the action by contacting the vice president of educational services for academic adjustments or the vice president of administrative services for reasonable accommodations.

B. The individual will submit the appeal to the appropriate vice-president. The vice president will review the individual's position, and respond within five (5) working days.

C. If resolution is not reached by the individual and the vice-president, the vice-president will refer the appeal to the college president.

D. The president will review the dispute and make recommendations in writing for appropriate resolution.

E. The decision of the president is the final decision of the college

# Appendix 18

## International Programs

Home » International Programs



Peninsula College International Programs welcomes students from around the world to become part of our community and enjoy one of the most beautiful college campuses in the Pacific Northwest.

[Apply to International Programs](#)

[Application Requirements](#)

We provide individual attention from admissions to graduation and are available to help you with any questions or services to get started.

- **Admissions & arrival:** Visa, airport pick-up, housing placement
- **Getting started:** Area and college orientation, testing, registration
- **Advising:** Immigration & OPT, academic planning, and transfer
- **Additional support:** Personal counseling, tutoring, health insurance
- **Activities:** Volunteer, clubs, athletics, local trips, community events

### SUPPORTING LINKS

[International Programs](#)

[Academic Calendar](#)

[Admissions Office](#)

[Class Schedule](#)

[College Catalog](#)

[Explore Careers](#)

[Explore Programs](#)

[Financial Aid](#)

[Request Information](#)



# Appendix 19

Home » Financial Aid Office



- Academic Calendar
  - Admissions Office
  - Class Schedule
  - College Catalog
  - Explore Careers
  - Explore Programs
  - Financial Aid
  - Request Information
- Apply Now

Peninsula College participates in a broad range of financial aid programs designed to assist you if you are unable to meet college costs through other means. In determining any student's ability to contribute toward educational expenses, the college is required to use a uniform need-analysis system to determine eligibility for state and federal programs.

### Important FAFSA Updates

The **2024-25 FAFSA** is now available. It is for the academic year starting Summer 2024, and extending through Spring 2025. Be sure to complete the correct FAFSA for the time you plan on attending Peninsula College to avoid processing delays.

### Financial Aid Priority Consideration Dates

**Please Note:** Due to setbacks in the timeline of when the U.S. Dept. of Education will be processing 2024-25 applications (mid-March), and necessary updates to our state-wide college system ctcLink (scheduled for mid-May) to accommodate the FAFSA Simplification Act changes, the PC Financial Aid Office may begin receiving and reviewing 2024-25 FAFSAs in June, 2024. Summer aid applicants enrolled in Summer classes will be prioritized.



# Appendix 20

**Emergency financial assistance is available for eligible Peninsula College students.**

Peninsula College has funding available to help currently enrolled students experiencing financial emergencies or unexpected expenses that create a financial hardship. The intent of these funds is to help cover an expense that could impact a student's ability to stay in college or complete their educational goals.

Due to the limited amount of funding available, emergency funding requests will be prioritized to first-time requests and limited to one award per quarter. Additional requests will be considered, as funds allow.

If you are requesting emergency assistance, we highly encourage you to complete the [FAFSA](#) or [WASFA](#) (if you haven't already done so), as there may be additional funding available to you.

To submit an emergency fund request, [click here](#).

## **Emergency Fund Request Award Maximums:**

<b>Emergency Type</b>	<b>Maximum Award Amount</b>
Books	\$300
Childcare	\$1,000
Fees	\$300
Food	\$500
Healthcare	\$500
Housing	\$2,000
Transportation	\$500
Utilities	\$300

**Where the money comes from:**

Peninsula College Foundation's Finish Line Fund provides financial assistance to students who are within 30 credits of completing their certificate or degree and are experiencing financial hardship. Additional emergency funding may also be available for students who are earlier in their program of study.

United Way Get-It-Done Fund helps students who encounter a financial barrier while completing their high school credential. The fund is made possible by United Way.

Student Emergency Assistance Grant (SEAG) funds come from the state of Washington and may help degree- and certificate-seeking students who experience financial emergencies or urgent circumstances such as paying a utility or internet bill, buying some groceries, fueling a vehicle, or supplementing a rent payment. Funds go directly to students. Awards are first come, first served while funding is available and are limited to one award per student per quarter.

Contact us at [emergencyfund@pencol.edu](mailto:emergencyfund@pencol.edu) for questions and information.

# Appendix 21

## Board Policy

Subject: Drug and Alcohol-Free Workplace Policy  
Reference #: 211 Statutory Authority:

Date Adopted: April 18, 1989 WAC 296-800-11025  
Date Revised: 01/04/2018  
Reviewed: 01/04/2018

Lead Administrator: Vice President for HR/DEI Category: Personnel

Peninsula College is committed to providing a healthy and productive educational environment.

Teaching, learning, and other work can be impaired by alcohol and drug use. The abuse of alcohol and the use of illegal drugs by members of the Peninsula College community are incompatible with the goals of an academic institution. Therefore, the use, possession, transfer or sale of illegal drugs by employees is prohibited and the use of alcohol on Peninsula College campus will be limited.

Only those functions sponsored by the College or the Peninsula College Foundation may apply to serve alcohol on campus. The decision regarding the use of alcohol at any Peninsula College function resides with the College President.

Peninsula College employees are prohibited from being demonstrably under the influence of controlled substances in the workplace (WAC 296-800-11025). Violation of this policy will result in sanctions consistent with the college's employee disciplinary procedures, college regulations, collective bargaining agreements, and local, state, and federal law.

Sanctions for employees may include, but are not limited to, counseling, mandatory participation in an appropriate rehabilitation program, fines, participation in community service, unpaid suspension from employment, loss of certain campus privileges, termination of employment, and/or referral for prosecution.

Student disciplinary action may include the applicable disciplinary sanctions described in the Student Rights and Responsibilities Policy (#431)

# Appendix 22

## Board Policy

Subject: Drugs, Alcohol and Tobacco on College Facilities  
Reference #: 518 Statutory Authority: See Below

Date Adopted: May 8, 2007  
Date Revised: 02/15/2018  
Reviewed: 02/15/2018

Lead Administrator: Vice President - Finance and Administration Category: General

Statutory Authority:  
RCW 28B.50.140  
RCW 69.41  
RCW 69.50  
RCW 70.16

One of the core theme objectives of Peninsula College is to provide a college environment that places teaching and learning at the center of institutional practice. In support of this objective Peninsula College is committed to provide an environment that is free of alcohol and drug abuse. Therefore, the College prohibits the use, possession, delivery, sale or being observably under the influence of any drug as defined by RCW 69.41 or any other controlled substance, including marijuana, under RCW 69.50, except as prescribed by a licensed practitioner. Also, the College limits the use of alcohol and tobacco on Peninsula College owned or leased facilities.  
Date Revised: February 9, 2016

# Appendix 23

## Use of Alcohol on College Facilities

Reference #: 518.02 Statutory Authority: See Below

Date Adopted: February 9, 2016

Date Revised: 02/15/2018

Reviewed: 02/15/2018

Lead Administrator: Vice President - Finance and Administration Category: General

Statutory Authority:

RCW 69.50

RCW 66.20

WAC 314-05

WAC 314-18

Alcoholic beverages shall not be allowed on Peninsula College owned or leased property except in accordance with this procedure and in compliance with Washington State Statutes. Only College Foundation hosted activities may apply to serve alcohol. The decision regarding the use of alcohol at any Peninsula College activity resides with the College President.

Alcoholic beverages may be served on College owned or leased property under the following conditions:

1. An Alcohol Approval Request Form has been submitted to the Foundation, approved by the College President, and the required State liquor permit or license has been obtained.
  2. No alcoholic beverages will be served to anyone under the age of 21. Each activity must have a mechanism in place for verifying the age of participants prior to serving them alcohol. A physical barrier must exist between the location where alcohol will be served and the remaining premises.
  3. No alcoholic beverages may be served at student hosted meetings or activities.
  4. Non-alcoholic beverages and food must be available at all events where alcoholic beverages are permitted.
  5. No College funds shall be used to purchase any alcoholic beverages or to pay any license or permit fees required for serving alcohol except for instructional program purposes.
- Permission

### Use of Alcohol on College Facilities - 518.02

It is the responsibility of the requestor to obtain the approved permission including the Alcohol Approval Request form and the required permit.

1. An Alcohol Approval Request Form must be completed and submitted to the College Foundation no less than fourteen (14) business days prior to an activity that requires a Banquet Permit or no less than sixty (60) business days for an activity that requires a Special Occasion License.
2. The Foundation will forward the Alcohol Approval Request Form to the College President for

approval. The President or designee shall review the request and return the copy of the approved/disapproved Alcohol Approval Request form to the Foundation. The Foundation will notify the requestor of the results, if approved and forward the form to room scheduling department, if approved. The original request shall remain with the College President.

Permit/License – Washington State Liquor Control Board Banquet Permit or Special Occasion License

The applicant will obtain the necessary Washington State Liquor Control Board permit and pay applicable fees or verify the contracted caterer has the applicable permit/license. These permits/licenses must be conspicuously posted in the activity's location.

# Appendix 24

## Wraparound Services at Peninsula College

Are you a Peninsula College student who needs help with housing, healthcare, utility assistance, recovery, finding a job or other non-academic problems?

Wraparound services are community agencies who collaborate with Peninsula College to help connect students with resources. Students can meet with agency representatives from local organizations in person at the Community Resource Office, in WorkForce Programs (Building P) on the Port Angeles campus.

For more information, to ask questions, or to get assistance with basic needs or referrals to campus or community resources and services, please contact Anne Higdon at WorkForce Programs at [ahigdon@pencol.edu](mailto:ahigdon@pencol.edu) or (360) 417-6276.

## Community Partners

- [Clallam County Health & Human Services](#) is dedicated to promoting and protecting the health, safety, and quality of life for all people in Clallam County.
- [Clallam Transit](#) provides free public transportation services and paratransit (known as Clallam Connect) in Clallam County. They have expanded lines that go to Hurricane Ridge, and the Bainbridge Island Ferry Terminal for free if you show your student ID.
- [College Success Foundation](#) coaches and supports students from low socioeconomic backgrounds to prepare for and graduate from college as transformational leaders in order to forge a just and equitable society.
- [DSHS Division of Vocational Rehabilitation](#) provides individualized vocational counseling, employment services and supports to people with disabilities who want to work but face substantial barriers in finding meaningful and sustained employment.
- [DSHS Port Angeles Community Services Office](#) is where people can apply, interview, and review their applications for food, cash, Working Connections Childcare services, WorkFirst social services case management and navigation.
- [First Step Family Support](#) offers maternity support, parenting education classes, home-visiting programs, and center-based activities so that families have the advantage in raising healthy and happy children in Clallam and Jefferson counties.
- [Healthy Families of Clallam County](#) provides free and confidential services to individuals and families affected by domestic violence, sexual assault, child abuse and general crimes.
- [North Olympic Healthcare Network](#) provides patient-centered, quality-driven, whole-person healthcare services, accessible to everyone in our community. Their patient navigator can help people sign up for insurance and register as a new patient.



Their [Mobile Health Clinic](#) provides behavioral health services and telemedicine appointments.

- [League of Women Voters of Clallam County](#) encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education, and advocacy.
- [OlyCAP](#) helps people build resilient communities by providing equitable access to solutions and opportunities in Clallam and Jefferson counties.
- [Sequim Food Bank](#) provides food and assistance to people and organizations so that no one goes hungry in our community.
- [The Market at the Port Angeles Food Bank](#) and their Mobile Market nourishes our community and cultivates a hunger free community through service, education, and partnerships.
- [Serenity House](#) is the leading housing organization in Clallam County, working to resolve homelessness and housing insecurity for low-income families, seniors, individuals, and people with disabilities.
- [Salish Youth Network Collaborative \(SYNC\)](#) provides behavioral health and youth systems navigation and can assist with coordination of services for youth and their families with complex behavioral health needs in Clallam, Jefferson, and Kitsap Counties.
- **The REAL Team (Recovery, Empowerment, Advocacy, and Linkage)** improves the lives of people they serve through recovery, empowerment, advocacy, and linkage; while promoting dignity, health, and self-sufficiency.
- [UnitedHealthcare Community Plan](#) has Medicaid, dual special needs plans, and ACA marketplace health insurance plans.
- [WorkSource](#) is a statewide partnership of state, local and nonprofit agencies that provides an array of employment and training services to job seekers and employers in Washington.