


# ANNUAL SECURITY & FIRE SAFETY REPORT

Eastern Washington University's Cheney & Branch Campuses  
With Statistics from 2022, 2023 & 2024



Eastern Washington University  
526 5th Street  
Cheney, WA 99004





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

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



# Message from the AVP for Public Safety/ Chief of Police

Dear Eastern Washington University Community,

Thank you for your interest in the Annual Security & Fire Safety Report. This report is designed to provide you with meaningful insights into campus safety, crime prevention, and the resources available to support your well-being. With nearly 1,209 faculty and staff and more than 10,491 students, maintaining a safe, welcoming, and secure learning environment is a shared responsibility—one that we all play a vital role in upholding.

At the EWU Police Department, our top priority is delivering professional, community-focused law enforcement and safety services. We are committed to being a visible, approachable, and collaborative presence on campus. Our team of 14 fully commissioned police officers serves the university community 24/7, year-round. Due to the unique nature of our academic environment, our officers specialize in campus policing and are trained to respond to the specific needs of our students, staff, faculty, and visitors.



Community-oriented policing is the foundation of our success here in Eagle Country. Building strong relationships with the campus community is essential to fostering trust, communication, and safety. We ask for your partnership in these efforts—whether by reporting suspicious activity, engaging with our officers, or taking proactive steps to ensure your own safety and the safety of those around you. If you see something, say something.

Thank you for taking the time to review this important report. We hope it serves as both an informative resource and a reflection of our commitment to transparency and safety. If you have any questions, or would like more information on crime statistics or public safety efforts at EWU, please visit <https://inside.ewu.edu/police>, speak with one of our officers on patrol, or contact us directly at (509) 359-7676.

Sincerely,

Jewell Day  
AVP for Public Safety/Chief of Police

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# Introduction

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

## Jeanne Clery Campus Safety Act

Access to campus safety and security information is critical for prospective students and their families when choosing the right college or university to attend, and for faculty and staff who are deciding where to work and build a career. It is equally important for current students and employees to have access to this information while studying and working at EWU. In 1990, Congress enacted the Crime Awareness and Campus Security Act, amending the Higher Education Act of 1965. Further amendments in 1998 renamed it the Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Acts, and then the Jeanne Clery Campus Safety Act (Clery Act) in 2024. All public and private postsecondary institutions that participate in Title IV student financial assistance programs must comply with the Clery Act and its mandates.

This 2024 Annual Security and Fire Safety Report is provided in accordance with the Clery Act. It is required that a copy of Eastern Washington University's Clery Act Report be provided to every employee and student, as well as each prospective employee and student. This report includes statistical information for 2024 and the two previous calendar years concerning reported crimes that occurred on EWU's campus, in certain off-campus buildings or properties owned or controlled by EWU, and on public property within, or adjacent to and accessible

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





# The EWU Police Department

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



EWUPD has adopted community policing as a department-wide philosophy. Community policing is a collaboration between police and the community that helps to identify and solve community problems, involving all members of the community as active allies to enhance safety. EWUPD is optimizing outreach efforts to build trust and legitimacy by treating people with dignity and respect; giving individuals “voice” during encounters; being neutral and transparent in decision making; and conveying trustworthy motives. Pursuant to the President’s Task Force recommendations, EWUPD is

striving to create a workforce that reflects the community it serves, and contains a broad diversity including race, gender, language, life experience and cultural background to improve understanding and effectiveness in dealing with all communities.

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





## Department Personnel

### Administration

AVP for Public Safety/Chief of Police	1
Deputy Chief	1
Emergency Management Coordinator	1
Administrative Assistant/Clery Compliance	1
Administrative Assistant 2	1

### Commissioned Officers

Sergeants	3
Detective/Investigator	1
Patrol Officers	8

Campus Safety Responders 2

### Student Employees

Cadets	4
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## Mission, Values, and Goals

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

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

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

## Location of University Police

The Eastern Washington University Police Department is located in the Red Barn at 609 W 7<sup>th</sup> Street in Cheney, Washington. The Red Barn business operations are conducted from 7:00 am to 5:00 pm, Monday-Thursday and 8:00 am to 4:30 pm on Friday. The administrative office can be reached at 509.359.6498. Non-emergency police assistance can be obtained any time by calling the Crime Check line at 509.359-7676. In an emergency, dial 911.





## Working Relationships

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



# Reporting Procedures

## General Procedures for Reporting a Crime or Emergency

EWU has a number of methods for campus community members and visitors to report crimes, serious incidents and other emergencies to appropriate university officials. Per EWU Policy 603-01 (Campus Safety, Security & Crime Prevention), employees are mandated to report all crimes occurring on campus or in a university leased facility or vehicle, during a university-sponsored or sanctioned event/activity, or while conducting university business, to EWUPD or a university campus security authority (CSA). This will ensure there is appropriate follow-up, and that timely warnings or emergency notifications are issued if necessary. In addition to notifying EWUPD, all employees who become aware of an incident or complaint of sexual harassment or sexual misconduct involving a student must report it to the Title IX Coordinator within 24 hours of becoming aware of the matter. The only exception to mandatory reporting is for licensed professional mental health counselors who work in EWU's Counseling and Wellness Services (CWS).

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



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TO REPORT A CRIME  
EWU MAIN CAMPUS

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

Emergency: 911  
Non-Emergency (EWUPD): 509-359-7676

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

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

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TO REPORT A CRIME  
EWU @ EVERETT CC

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

Emergency: 911

Non-Emergency: 425-388-9990  
(EvCC Security Office)

or email [oasecurity@everettcc.edu](mailto:oasecurity@everettcc.edu)

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TO REPORT A CRIME  
EWU @ BELLEVUE COLLEGE

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

Emergency: 911

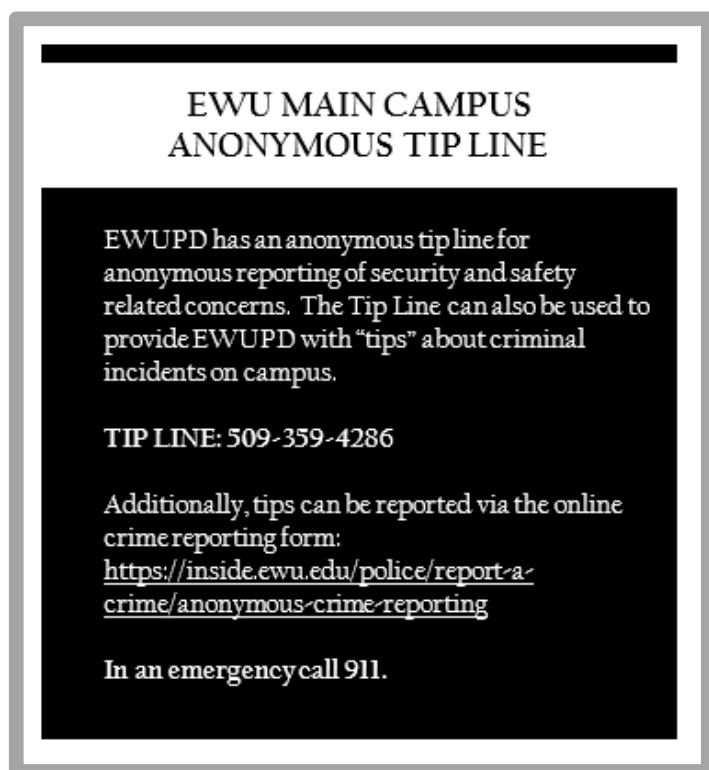
Non-Emergency: 425-564-2400  
(Public Safety Office)

Public Safety after hours: 425-466-9365

## Anonymity and Confidential Reporting

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

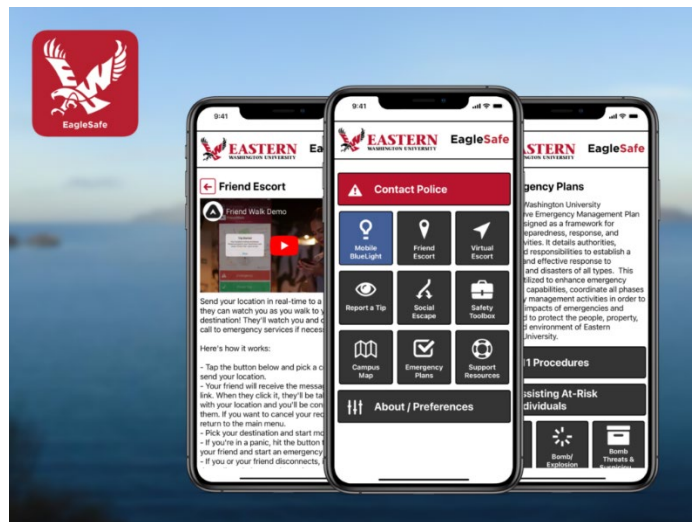
To facilitate the investigative process and protect the privacy of those involved, information gathered by EWU Police will be maintained in a confidential manner to the fullest extent possible during the pendency of a criminal investigation. Per [RCW 42.56.240](#), complainants, victims and witnesses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





## EagleSafe App

The university's EagleSafe App is the official safety app of Eastern Washington University. It is the only app that integrates with EWU's safety and security systems. The app allows users to report suspicious activity, crime, facilities outages, tips (including football game-day tips) and more through the app on their cell phone. It also enables users to receive EWU Alerts that notify them of emergencies or campus closures, and instant access to campus safety resources.



Signing up is easy. Students, faculty and staff can download the EagleSafe app, which is available in the Apple and Google Play stores. Download using the QR codes below:

EagleSafe EWU – App Store



EagleSafe EWU – Google Play



## University Response

While every person on campus plays an important role in deterring and reporting criminal behavior, the following positions have the additional responsibilities outlined below.

The university President has the ultimate authority relating to all issues and incidents related to campus safety and security. The President may, as deemed necessary, take immediate action to ensure the safety and security of the campus and community. These actions could include, but are not limited to, ordering any disciplinary action; restricting access to university facilities or personnel; ordering a trespass notice; closing university facilities; and/or taking other action as permitted by law.

The AVP for Public Safety/Chief of Police keeps the President apprised in times of emergent situations on campus, and directs the police department. EWUPD has primary responsibility for crime reporting, campus safety, safety notifications, crime prevention training and awareness, and emergency management. EWUPD responds to all reported incidents of violence on campus and intervenes as necessary to protect the safety of all persons and property.

Student Affairs assists EWU Police in responding to safety concerns involving students and responding to crimes committed by students; addresses any criminal behavior engaged in by students as appropriate under the student conduct code; and provides students with crime prevention training and materials.

Human Resources assists EWU Police and supervisors in responding to safety concerns in the workplace; facilitates appropriate responses to reported incidents of criminal behavior by employees through professional development, investigation and/or discipline; and ensures all new employees receive crime prevention training and materials as required by policy.

Records and Registration ensures each student is provided with campus violence awareness information (including information regarding counseling services) by including such information in annual catalogs and/or quarterly course announcements.



# Timely Warnings

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

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



## Timely Warning Notice Procedures

Timely warnings are issued by the AVP for Public Safety or designee once pertinent information is made available. The AVP for Public Safety will decide the method(s) to be used for the timely warning, and is responsible for ensuring distribution of timely warning notices to the university community. AVP for Public Safety or designee will create the message using available information on a case-by-case basis, and will generate the notifications or direct other staff, such as the Public Information Officer, Deputy Police Chief, Emergency Manager or Administrative Assistant to generate the messages. If EWU's Police Department is not available to initiate an alert, another authorized EWU official may activate the system. If the threat posed is immediate, the university will follow the emergency notification procedures (described in the Emergency Response and Evacuation Procedures chapter).

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

- EagleSafe App;
- Banners on ewu.edu and <https://inside.ewu.edu> webpages;
- Text (SMS) messages;
- Notice posted on the EWU Emergency Information web page:  
<https://www.ewu.edu/emergency/>;
- EWU Timely Warning history web page:  
<https://inside.ewu.edu/police/ewu-timely-warnings/>;
- Digital signs;
- Email;
- Fire alarms;
- Outdoor warning speakers;
- Vehicle public address speakers;
- Voice messages to campus telephone numbers;



- Voice messages to cell phones;
- Other appropriate methods.

## **Content of a Timely Warning**

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

- What the reported offense is;
- Description and name of suspect(s) if known;
- Description of what happened including location, date(s), time of day/night, behavior of suspect(s), etc.; and
- Information that promotes safety and that would aid in prevention of similar crimes.

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

# Security of and Access to Campus Facilities

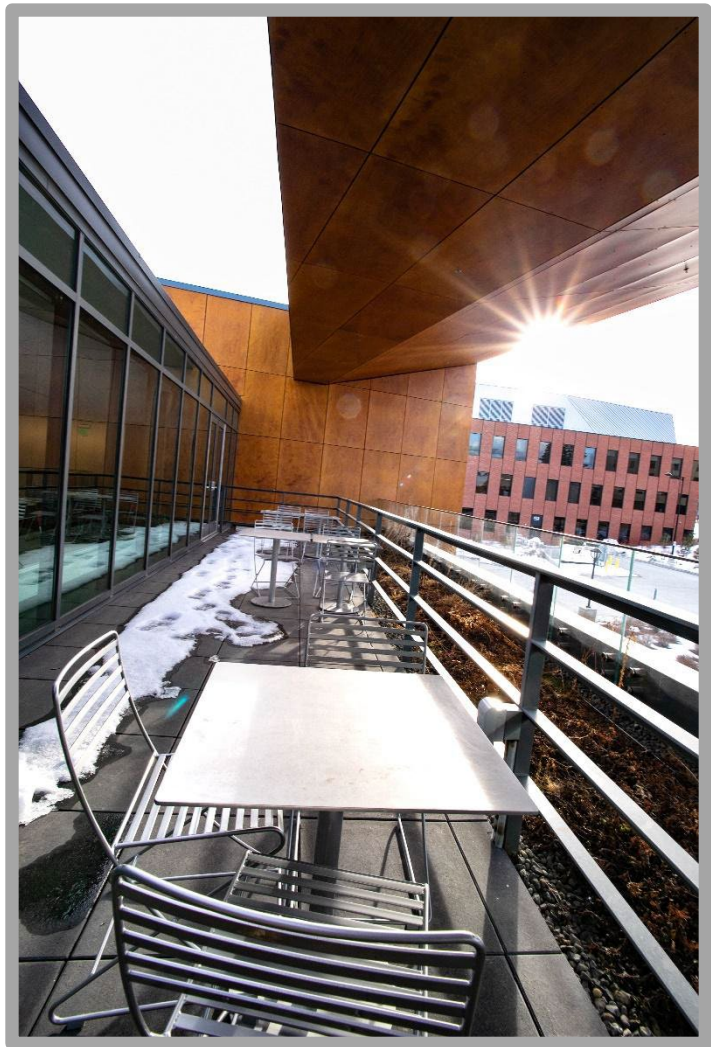
## Academic and Administrative Buildings

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

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

## Residence Halls

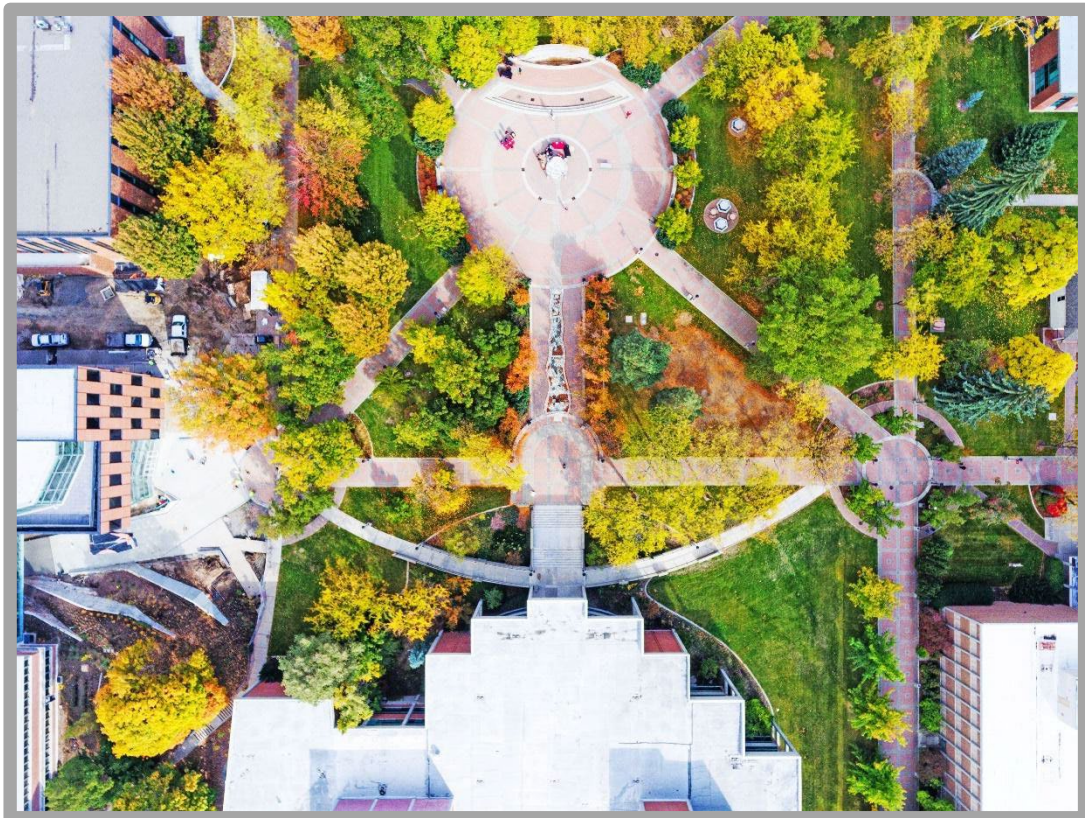
All doors to residential areas are locked 24 hours a day. To discourage unwanted visitors from entering the building, it is important that students do not prop open exit doors. If a student sees an individual not known to be a resident, the student should ask if the individual belongs in the building.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



locked at all times, and that they close and lock doors and windows while they are out of the room to prevent theft. In addition, all overnight guests must register at the hall office. When living on the lower floors of the building, it is important to lock windows. In addition to residence halls, there are on-campus student apartment complexes with individual managers. Apartment occupants regulate access to each apartment.

## Facilities Maintenance

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





# Crime Statistics

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

Eastern Washington University includes the three most recent years of crime statistics in this Annual Security Report, occurring within university geography. These statistics are based on crimes reported to the EWUPD. Additionally, crime statistics are gathered from other agencies each year via the following methods:

1. Local police departments (written requests)
  - Cheney Police Department
  - Washington State Patrol
2. Local police departments (via law New World records management system incidents and reports)
  - Spokane County Sheriff's Office
  - Spokane Police Department
3. Branch campuses (written requests)
  - WSU Spokane Office of Safety and Security
  - Bellevue College Department of Public Safety
  - Everett Community College Security/North Puget Sound
4. Law enforcement agencies serving branch campuses (via record requests)
  - Bellevue Police Department
  - Everett Police Department
5. EWU Student Rights and Responsibilities (via Maxient Report data)
6. EWU Title IX Coordinator; and

## 7. EWU Campus Security Authorities.

The AVP for Public Safety and Campus Security Survey Administrator prepare and distribute the Annual Security and Fire Safety Report in cooperation with other university departments, including the Office of the President; Student Affairs; Housing and Residential Life; Dean of Students Office; Student Rights and Responsibilities; Title IX Office; Human Resources; Facilities and Planning (including Access Control and Fire Life Safety Program); and Counseling and Wellness Services.

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



## Definitions of Categories

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

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**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, or personal property of another.

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

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

*[Dating violence is defined under Washington State law as a type of domestic violence (see domestic violence below). The definition of family or household members under Washington law includes those who have been or are in a dating relationship. A dating relationship is "a social relationship of a romantic nature." Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties." RCW 10.99.020(3), (4); 7.105.010(8)]*

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**Disciplinary Referrals:** Individuals referred to Student Rights and Responsibilities (SRR) for liquor law, drug law and illegal weapons violations. The numbers include incidents that are

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reported via both EWUPD incident reports and reports provided directly to SRR from other members of the EWU community.

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**Domestic Violence:** A felony or misdemeanor crime of violence committed by a current spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person that is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; adult persons related by blood or marriage; adult persons who are presently residing together or who have resided together in the past; and persons who have a biological or legal parent-child relationship; or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Washington or 34 U.S.C. 12291(a)(8).

*[Under state law, the crime of domestic violence is defined as physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault or stalking of one family or household member by another family or household member. Domestic violence includes but is not limited to any of the following crimes when committed by one family or household member against another family or household member, or one intimate partner against another intimate partner: Assault in the first, second, third or fourth degree; Drive-by shooting; Reckless endangerment; Coercion; Burglary in the first or second degree; Criminal trespass in the first or second degree; Malicious mischief in the first, second or third degree; Kidnapping in the first or second degree; Unlawful imprisonment; Violation of the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location; Rape in the first or second degree; Residential burglary; Stalking; and Interference with the reporting of domestic violence. RCW 10.99.020(4)]*

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**Drug Law Violation:** Washington State law prohibits the any person to manufacture, deliver, or possess with intent to manufacture or deliver a controlled substance. Possession of small amounts of marijuana by someone who is 21 or older is now permitted by state law and thus referrals for such possession, which is prohibited on campus, are not included in the statistics.

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[Please note: Marijuana remains illegal under federal laws and policies regarding marijuana at EWU remain unchanged.]

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

*[In Washington State, a person is guilty of indecent liberties when he or she knowingly causes another person to have sexual contact with him/her or another as described in RCW 9A.44.100.]*

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**Hate Crimes:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. The eight bias categories are disability, ethnicity, gender, gender identity, national origin, race, religion, and sexual orientation. For Clery purposes, hate crimes include criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft and arson. The following four crimes are also included in Clery statistics if they are hate crimes:

- **Larceny-Theft:** The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.
- **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.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to physical attack.
- **Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface or otherwise injure real or person property without the consent of the owner or the person having custody or control if it.

*[In Washington State, a person is guilty of a hate crime offense if the person maliciously and intentionally commits one of the following acts because of their perception of another person's race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability: assaults another person, causes physical damage to or destruction of the property of another, or threatens a specific person or group of persons and places that person, or members of the specific group of persons, in reasonable fear of harm to person or property. RCW9A.36.080]*

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**Hazing:** Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons), against another person or persons regardless of the willingness of such other person or persons to participate, that:

- is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
  - causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including:
    - whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body or similar activity;
    - causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
    - causing, coercing or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
    - causing, coercing, or otherwise inducing another person to perform sexual acts;
    - any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
    - any activity against another person that includes a criminal violation of local, State, Tribal or Federal law; and
    - any activity that induces, causes or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal or Federal law.
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*[In Washington State, hazing includes any act committed as part of a person's recruitment, initiation, pledging, admission into, or affiliation with a 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 or other person attending a public or private institution of higher education or other postsecondary educational institution in this state, 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. RCW 28B.10.900]*

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

*[In Washington State a person is guilty of incest if he or she engages in sexual intercourse or sexual contact with a person whom he or she knows to be related to him or her, either legitimately or illegitimately, as an ancestor, descendant, brother or sister of either the whole or the half blood. RCW 9A.64.020]*

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

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

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

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

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**Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent of the victim.

*[The Washington State definition of rape ( RCW 9A.44) is sexual intercourse (any penetration, however slight); and also means any penetration of the vagina or anus, however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex except when such penetration is accomplished for medically recognized treatment or diagnostic purposes; or sexual contact between persons involving the sex organs of one person and the mouth or anus of another, whether such persons are of the same or opposite sex, by forcible compulsion, where the victim did not consent to sexual intercourse, or where there is threat of substantial unlawful harm to property rights of the victim.]*

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**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.

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

*[Per RCW 9A.46.110, a person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime he or she intentionally and repeatedly harasses or repeatedly follows another person; intentionally contacts, follow, tracks or monitors another person after being given notice that the person does not want to be contacted, followed, tracked or monitored, or knowingly and without consent installs or monitors an electronic tracking device to track the location of another person; and the person being harassed, followed, tracked or monitored suffers substantial emotional distress or is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and the stalker either intends to frighten, intimidate, or harass the person; or knows or reasonably should know that the person is*

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*afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.]*

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

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

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

## Definitions of Geography

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

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

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

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



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



## EWU Cheney Campus Crime Statistics

EWU CHENEY CAMPUS			RESIDENTIAL FACILITIES (subset of on-campus)		
CRIMINAL OFFENSE	YEAR	ON-CAMPUS		NON-CAMPUS	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
NEGLIGENT MANSLAUGHTER	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
RAPE	2024	6	5	3	0
	2023	1	0	1	0
	2022	11	11	1	0
FONDLING	2024	4	4	2	0
	2023	3	1	1	1
	2022	6	6	1	0
INCEST	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
STATUTORY RAPE	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
ROBBERY	2024	1	1	0	0
	2023	0	0	0	0
	2022	0	0	0	0
AGGRAVATED ASSAULT	2024	0	0	1	0
	2023	1	0	0	0
	2022	0	0	1	0
BURGLARY	2024	3	1	0	0
	2023	10	1	0	0
	2022	7	4	0	0

EWU CHENEY CAMPUS			RESIDENTIAL FACILITIES (subset of on-campus)		
CRIMINAL OFFENSE	YEAR	ON-CAMPUS		NON-CAMPUS	PUBLIC PROPERTY
MOTOR VEHICLE THEFT	2024	2	1	0	1
	2023	2	0	0	0
	2022	2	0	0	0
ARSON	2024	0	0	0	0
	2023	0	0	0	0
	2022	1	0	0	0
LIQUOR LAW ARRESTS	2024	0	0	0	0
	2023	5	4	0	1
	2022	6	6	0	0
LIQUOR LAW VIOLATIONS-REFERRALS	2024	59	59	0	0
	2023	65	63	0	0
	2022	51	51	0	0
DRUG LAW ARRESTS	2024	0	0	0	0
	2023	1	1	0	1
	2022	3	3	0	0
DRUG LAW VIOLATIONS-REFERRALS	2024	15	15	0	0
	2023	35	35	0	0
	2022	29	29	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS-REFERRALS	2024	0	0	0	0
	2023	0	0	0	0
	2022	2	2	0	0



EWU CHENEY CAMPUS					
CRIMINAL OFFENSE	YEAR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2024	6	5	3	0
	2023	7	5	0	0
	2022	8	5	0	0
DATING VIOLENCE	2024	0	0	0	0
	2023	1	0	0	0
	2022	0	0	0	0
STALKING	2024	1	0	0	0
	2023	4	2	0	1
	2022	16	6	0	0

Two crimes were unfounded in 2022, and there were no unfounded crimes in 2023 or 2024.

EWU at Bellevue College – by written agreement with Bellevue College

BELLEVUE COLLEGE			RESIDENTIAL FACILITIES (subset of on- campus)		
CRIMINAL OFFENSE	YEAR	ON- CAMPUS		NON- CAMPUS	PUBLIC PROPERTY
MURDER/NON- NEGLIGENT MANSLAUGHTER	2024	-	-	-	-
	2023	0	0	0	0
	2022	0	0	0	0
NEGLIGENT MANSLAUGHTER	2024	-	-	-	-
	2023	0	0	0	0
	2022	0	0	0	0
RAPE	2024	-	-	-	-
	2023	0	0	0	0
	2022	0	0	0	0
FONDLING	2024	-	-	-	-
	2023	0	0	0	0
	2022	2	0	0	0
INCEST	2024	-	-	-	-
	2023	0	0	0	0
	2022	0	0	0	0
STATUTORY RAPE	2024	-	-	-	-
	2023	0	0	0	0
	2022	0	0	0	0
ROBBERY	2024	-	-	-	-
	2023	1	0	0	2
	2022	0	0	0	0
AGGRAVATED ASSAULT	2024	-	-	-	-
	2023	0	0	0	0
	2022	1	0	0	1
BURGLARY	2024	-	-	-	-
	2023	3	0	0	0
	2022	6	5	0	0

BELLEVUE COLLEGE			RESIDENTIAL FACILITIES (subset of on-		
CRIMINAL OFFENSE	YEAR	CAMPUS	campus)	NON- CAMPUS	PUBLIC PROPERTY
MOTOR VEHICLE THEFT	2024	-	-	-	-
	2023	3	0	0	6
	2022	3	0	0	2
ARSON	2024	-	-	-	-
	2023	2	0	0	0
	2022	0	0	0	0
LIQUOR LAW ARRESTS	2024	-	-	-	-
	2023	0	0	0	0
	2022	0	0	0	0
LIQUOR LAW VIOLATIONS- REFERRALS	2024	-	-	-	-
	2023	10	9	0	0
	2022	13	13	0	0
DRUG LAW ARRESTS	2024	-	-	-	-
	2023	0	0	0	0
	2022	0	0	0	1
DRUG LAW VIOLATIONS- REFERRALS	2024	-	-	-	-
	2023	4	4	0	0
	2022	15	15	0	0
ILLEGAL WEAPONS POSSESSION ARRESTS	2024	-	-	-	-
	2023	0	0	0	0
	2022	0	0	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS- REFERRALS	2024	-	-	-	-
	2023	0	0	0	0
	2022	0	0	0	0



BELLEVUE COLLEGE			RESIDENTIAL FACILITIES (subset of on- campus)		
CRIMINAL OFFENSE	YEAR	ON- CAMPUS		NON- CAMPUS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2024	-	-	-	-
	2023	0	0	0	0
	2022	1	0	0	0
DATING VIOLENCE	2024	-	-	-	-
	2023	2	2	0	0
	2022	1	1	0	0
STALKING	2024	-	-	-	-
	2023	11	2	0	0
	2022	15	9	0	0

There was one unfounded crime reported by Bellevue College in 2022. There were no unfounded crimes reported in 2023.

At the time of publication, Bellevue College's 2024 crime statistics have not been provided. These statistics will be published in next year's report.

Bellevue College's ASR can be viewed at:

<https://www.bellevuecollege.edu/publicsafety/bellevue-college-annual-security-and-fire-safety-report-2022-2/>

EWU at North Puget Sound/Everett Community College –by written agreement with WSU Everett

EVERETT CC					
CRIMINAL OFFENSE	YEAR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC PROPERTY
MURDER/NON-NEGLIGENT MANSLAUGHTER	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
NEGLIGENT MANSLAUGHTER	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
RAPE	2024	2	2	0	0
	2023	1	1	0	0
	2022	0	0	0	0
FONDLING	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
INCEST	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
STATUTORY RAPE	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
ROBBERY	2024	0	0	0	0
	2023	1	0	0	0
	2022	0	0	0	0
AGGRAVATED ASSAULT	2024	0	0	0	0
	2023	1	1	0	0
	2022	0	0	0	0
BURGLARY	2024	4	1	0	0
	2023	2	0	0	0
	2022	5	2	0	1

EVERETT CC					
CRIMINAL OFFENSE	YEAR	ON-CAMPUS	RESIDENTIAL FACILITIES (subset of on-campus)	NON-CAMPUS	PUBLIC PROPERTY
MOTOR VEHICLE THEFT	2024	2	0	0	0
	2023	7	0	0	0
	2022	2	0	0	1
ARSON	2024	2	1	0	0
	2023	0	0	0	0
	2022	0	0	0	0
LIQUOR LAW ARRESTS	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
LIQUOR LAW VIOLATIONS- REFERRALS	2024	1	1	0	0
	2023	8	8	0	0
	2022	1	1	0	0
DRUG LAW ARRESTS	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
DRUG LAW VIOLATIONS- REFERRALS	2024	0	0	0	0
	2023	5	5	0	0
	2022	3	3	2	0
ILLEGAL WEAPONS POSSESSION ARRESTS	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
ILLEGAL WEAPONS POSSESSION VIOLATIONS- REFERRALS	2024	0	0	0	0
	2023	0	0	0	0
	2022	1	1	0	0



EVERETT CC					
CRIMINAL OFFENSE	YEAR	ON- CAMPUS	RESIDENTIAL FACILITIES (subset of on- campus)	NON- CAMPUS	PUBLIC PROPERTY
DOMESTIC VIOLENCE	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
DATING VIOLENCE	2024	0	0	0	0
	2023	2	0	0	0
	2022	1	1	0	0
STALKING	2024	3	1	0	0
	2023	6	0	0	0
	2022	4	0	0	0

No crimes were unfounded in 2022, 2023 or 2024.

Everett Community College's ASR can be viewed at:

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

# Hate Crimes

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

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

## Hate Crimes - EWU Cheney Campus

No hate crimes were reported in 2022. In 2023, three hate crimes were reported on the EWU Cheney campus. All three crimes were malicious mischief. One was on campus with a race bias. One was on public property with race/gender identity bias. One was on campus in a residence hall, with a gender identity bias. There were no hate crimes reported in 2024.

## Hate Crimes - Bellevue College

No hate crimes were reported in 2022 or 2023. At the time of publication, Bellevue College's 2024 hate crime statistics have not been provided. These statistics will be published in next year's report.

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

No hate crimes were reported in 2022, 2023 or 2024.

# Crime Prevention

## Crime Prevention Programs on the EWU Cheney Campus

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

Crime prevention programs are sponsored by various campus organizations throughout the year. Incoming students attend orientation and participate in programs describing security,

After starting employment, employees complete required training via Canvas. New employee orientation includes training on:

- Violence Prevention, Control and Response
- EagleSafe App and Eagle Alerts
- Clery Act/ Annual Security & Fire Safety Report
- Discrimination, Sexual Harassment, Sexual Misconduct, Domestic Violence, Relationship Violence, Stalking and Retaliation
- Drug and Alcohol Abuse Program
- Emergency Response Procedures
- Incident Reporting
- Bullying
- Title IX, Harassment, Hazing and Nondiscrimination
- Workplace Belonging (beginning October 1<sup>st</sup> )

The police department offers *Safety & Awareness* training quarterly and upon request. This training covers violence prevention, situational awareness, and responding to critical incidents on campus. A *New Faculty and Staff Policy Workshop* is facilitated for all new employees. The second part of this two-part workshop includes a presentation by the police department on campus safety, security and crime prevention. These workshops are offered in-person and via



zoom. Office safety walk-throughs are provided upon request.

In addition to training and awareness sessions, crime prevention information is also provided to students and employees via crime prevention materials, security alert posters, displays, videos and social media. The EWU Police Department produces several of these items, including a student campus security brochure, safety posts on social media and emergency management plans. Items may be obtained at the EWU Police Department, Human Resources, or Admissions. Copies may also be requested by calling 509.359.6498, emailing [police@ewu.edu](mailto:police@ewu.edu) or by writing to EWU Police Records, 609 W 7<sup>th</sup> St, Cheney, WA 99004. Additional information about crime prevention programs and training offered by the police department can be found at: <https://inside.ewu.edu/police/police-services/crime-prevention-programs/> and <https://inside.ewu.edu/police/police-services/training-and-classes/>.

## Eagle Walks

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

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

## Tips for Your Safety

EWUPD takes an active role in preventing crime, and we encourage community members to assist in keeping our community safe. Below are some tips and safety precautions to stay vigilant:

- Report all suspicious activity to EWU immediately.
- Download the EWU EagleSafe app.
- Program the EWUPD emergency phone number into your cell phone: (509) 359-7676. In an emergency dial 911
- Limit your alcohol consumption and leave social functions that appear to be getting out of control. Remember to call EWUPD for help at the first sign of trouble.
- Try to avoid walking alone at night. Travel with friends or use Eagle Walk services.
- Always lock the door to your residence hall room, whether or not you are there.
- Keep windows closed and locked when you are not at home.
- Do not hold doors open to residence halls or other protected locations.
- Be aware of your surroundings. Instead of texting or looking down at the ground, watch the cars and people around you.
- Never leave valuables unattended.
- Carry your keys and Eagle card at all times and do not lend them to anyone.
- Lock up bicycles and motorcycles. Lock car doors and close windows when leaving your car.
- Do not leave valuables in your car, especially if they can be easily noticed.
- Engrave serial numbers or owner's recognized numbers, such as a driver's license number, on items of value.
- Inventory your personal property and insure it appropriately with personal insurance coverage.

## Bicycle Registration

Bicycle registration is recommended for faculty, staff and students who ride on the EWU campus, because bicycles are often a target of theft. Registration is an aid for recovery of a bicycle that is stolen, and it is free and easy. Bicycles can be registered online at <https://inside.ewu.edu/police/police-services/bicycle-registration/>. In addition, keep your bike locked to a bike rack at all times and check it often.

## Self-Defense Classes

The EWU Police Department provides free self-defense classes to students, faculty, staff and the community to train both men and women in basic self-defense techniques and offer viable options when confronted with various threats of violence and aggression.

Self-defense classes train on the following tactics:

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

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

EWU Police Department typically offers self-defense training three to four times per year, and classes are posted at <https://inside.ewu.edu/police/police-services/training-and-classes/>. Self-defense courses can also be requested for a group by calling (509) 370-3069.

## Vehicle Safety Checks

Two weeks before winter break, EWUPD partners with ASEWU to hold vehicle safety checks. This service includes a check of windshield wipers, tire tread, tire pressure, fluid levels and lights so that any issues can be addressed before students drive home for the winter break. There are also raffles and giveaways of products to promote the safety of students while traveling.





# Missing Student Notification

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

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

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

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

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

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

# Response to Sexual Violence

Eastern Washington University will not tolerate any form of sexual misconduct, sexual harassment, sexual assault, domestic or dating violence, stalking or retaliation, and will take appropriate action against a university employee, student, visitor, volunteer, or contractor who violates any part of this policy.

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

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

On April 29, 2024, the U.S. Department of Education published new Title IX regulations that outline how colleges and universities must respond to reports of sex discrimination and sex-based harassment, which became effective on August 1, 2024. As outlined by the new regulations, response to these crimes are addressed in, [EWU Policy 603-01 \(Campus Safety, Security and Crime Prevention\)](#), [EWU Policy 402-01 \(Sexual Misconduct, Interpersonal Violence & Title IX Responsibilities\)](#), [EWU Guideline 401-01 – Investigations](#), [Chapter 172-125 WAC – Discrimination and Title IX Violations by Students](#), [Policy 402-05 Discrimination Investigations & Resolutions](#), and [EWU Policy 402-07 – Title IX Investigations & Hearings](#).

If sexual harassment occurs, the university will respond firmly, fairly, and in a timely manner, using informal and formal procedures designed to eliminate the conduct, prevent its recurrence, and remedy any adverse effects of the conduct on members of the campus community or in university programs or activities. A person who experiences and reports (or is reported to have experienced) sexual harassment under this policy will be offered prompt, reasonable, and appropriate supportive measures, and a person who is found responsible for violating this policy may be subject to a range of potential disciplinary action, up to and including expulsion or termination. Some forms of sexual harassment may also violate federal, state, and/or local criminal laws, and criminal prosecution may occur independently of any actions taken by the university.

## **Non-Discrimination**

The university does not unlawfully discriminate against any person in any of its education or employment programs and activities, including admissions, on any basis prohibited by federal law or other applicable law, including on the basis of sex or gender, and it does not tolerate discrimination or harassment on the basis of sex or gender. The university complies with Title IX of the Education Amendments of 1972 (“Title IX”), which prohibits discrimination on the basis of sex in the university’s programs and activities; the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA), which, with Title IX, governs this Policy related to the university’s response to sexual assault, dating violence, domestic violence and stalking; Title VII of the Civil Rights Act of 1964 (“Title VII”), which prohibits discrimination on the basis of sex in employment and other applicable law.

## **Definitions**

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



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

*[Dating violence is defined under Washington State law as a type of domestic violence (see domestic violence below). The definition of family or household members under Washington law includes those who have been or are in a dating relationship. A dating relationship is "a social relationship of a romantic nature." Factors that the court may consider in making this determination include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties." RCW 10.99.020(3), (4); 7.105.010(8)]*

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**Domestic Violence:** A felony or misdemeanor crime of violence committed by a current spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person that is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; adult persons related by blood or marriage; adult persons who are presently residing together or who have resided together in the past; and persons who have a biological or legal parent-child relationship; or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Washington or 34 U.S.C. 12291(a)(8).

*[Under state law, the crime of domestic violence is defined as physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault or stalking of one family or household member by another family or household member. Domestic violence includes but is not limited to any of the following crimes when committed by one family or household member against another family or household member, or one intimate partner against another intimate partner: Assault in the first, second, third or fourth degree; Drive-by shooting; Reckless endangerment; Coercion; Burglary in the first or second degree; Criminal trespass in the first or second degree; Malicious mischief in the first, second or third degree; Kidnapping in the first*

*or second degree; Unlawful imprisonment; Violation of the provisions of a restraining order, no-contact order, or protection order restraining or enjoining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care, or prohibiting the person from knowingly coming within, or knowingly remaining within, a specified distance of a location; Rape in the first or second degree; Residential burglary; Stalking; and Interference with the reporting of domestic violence. RCW 10.99.020(4)]*

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**Sexual Assault:** Any sexual act directed against another person, without a person's consent, including instances where a person is not capable of giving consent. An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program:

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent of the victim.

*[The Washington State definition of rape ( RCW 9A.44) is sexual intercourse (any penetration, however slight); and also means any penetration of the vagina or anus, however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex except when such penetration is accomplished for medically recognized treatment or diagnostic purposes; or sexual contact between persons involving the sex organs of one person and the mouth or anus of another, whether such persons are of the same or opposite sex, by forcible compulsion, where the victim did not consent to sexual intercourse, or where there is threat of substantial unlawful harm to property rights of the victim. ]*

- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. *[In Washington State, a person is guilty of indecent liberties when he or she knowingly causes another person to have sexual contact with him/her or another as described in RCW 9A.44.100.]*
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. *[In Washington State a person is guilty of incest*

*if he or she engages in sexual intercourse or sexual contact with a person whom he or she knows to be related to him or her, either legitimately or illegitimately, as an ancestor, descendant, brother or sister of either the whole or the half blood. RCW 9A.64.020]*

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

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

*[Per RCW 9A.46.110, a person commits the crime of stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime he or she intentionally and repeatedly harasses or repeatedly follows another person; intentionally contacts, follow, tracks or monitors another person after being given notice that the person does not want to be contacted, followed, tracked or monitored, or knowingly and without consent installs or monitors an electronic tracking device to track the location of another person; and the person being harassed, followed, tracked or monitored suffers substantial emotional distress or is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and the stalker either intends to frighten, intimidate, or harass the person; or knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.]*

## Definition of Consent

Per EWU policy, consent means actual words or conduct indicating freely given agreement to sexual activity. Consent cannot be inferred from silence, passivity or lack of active resistance. There is no consent where there is a threat of force of violence, any form of coercion, or physical or psychological intimidation. Consent must be established through clear words or actions.

Sexual activity is nonconsensual when one person is incapable of consent by reason of mental incapacity, drug/alcohol use, illness, unconsciousness, age, or physical condition. Incapacitation due to drugs or alcohol refers to an individual who is in a state of intoxication such that the individual is incapable of making rational, reasonable decisions because the person lacks the capacity to give knowing consent.

Washington state law defines consent as “at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.” RCW 9A.44.010(2).

## Reporting

Crimes of violence, including sexual assault and stalking, are a very serious concern at Eastern Washington University. Individuals who believe they have been subjected to sexual misconduct or interpersonal violence are encouraged to report such incidents to the university and seek advice and assistance as soon as possible.

### *University Reporting Process*

Individuals who believe a student or student organization has engaged in discrimination, harassment, sexual assault, sexual misconduct or retaliation may report such concerns to any of the following offices:

- Civil rights office ([www.inside.ewu.edu/civilrights](http://www.inside.ewu.edu/civilrights));
- Title IX Coordinator ([www.inside.ewu.edu/titleix](http://www.inside.ewu.edu/titleix)); or
- Student Rights and Responsibilities ([www.inside.ewu.edu/srr](http://www.inside.ewu.edu/srr)).



A formal Title IX complaint against an employee may be filed with the Civil Rights Office in any of the following ways:

- Online: [www.ewu.edu/titleix](http://www.ewu.edu/titleix)
- Email: [titleix@ewu.edu](mailto:titleix@ewu.edu)
- Phone: 509-359-7350
- By mail or in person: Title IX Coordinator, Eastern Washington University, 117 Showalter Hall, Cheney, WA 99004

### ***Reporting to Law Enforcement***

A report may also be made to local law enforcement. If it is an emergency, call 911. If it is not an emergency and the incident occurred on campus or you need assistance in identifying the appropriate law enforcement agency, you can contact EWU's Police Department at 509-359-7676 or by submitting a report at: <https://inside.ewu.edu/police/report-a-crime/>. Reports to Cheney Police Department may be made by calling (509) 535-9233. The complainant has the option to decline reporting to law enforcement.

There is not a mandatory timeline for filing a complaint. The reporting entities also serve as resources for advice and assistance. Individuals may pursue a complaint through the university investigatory and disciplinary process by notifying the Title IX Coordinator. Individuals also have the option of pursuing a criminal complaint by contacting the university police or local law enforcement. Both a criminal complaint and an administrative complaint may be pursued consecutively or concurrently.

### ***Anonymous or Confidential Reporting***

Individuals who have been subjected to sexual misconduct or interpersonal violence have the option to report anonymously. If a complainant wishes to remain anonymous, EWU will take reasonable steps to gather information about the complaint but may not be able to investigate the complaint due to a lack of information or witnesses. The university will inform them that its ability to investigate and respond to the allegation will be limited and that any type of retaliation is prohibited. The university will inform the complainant of EWU's commitment to respond to complaints of retaliation. If a complainant wishes to remain anonymous, the Title IX

Coordinator must determine whether and to what extent the university can investigate the complaint. Reports of crimes to the campus community, timely warnings, and EWU's annual security report shall not include the names of the complainants or victims.

Anonymous reporting options include the following:

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

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

The university encourages students to report incidents of sexual misconduct without fear of consequences for having possessed or consumed alcohol and/or drugs at the time of the incident. The university's primary concern is to address student safety, discrimination and sexual misconduct. The university does not condone drinking, use of illegal drugs, or other violations of law or university policy; however, the university generally will not pursue student conduct code allegations against a complainant for alcohol or drug use and/or possession at the time of the reported sexual misconduct. This amnesty does not extend to other potential violations of the student conduct code. This limited amnesty is applicable only to university student conduct code proceedings and is at the university's discretion.

### ***Mandatory Reporting of Sexual Misconduct***

Except for licensed professionals in Counseling and Wellness Services, administrative employees working in the CWS counseling center, and complainants, all university employees who become aware of an incident or complaint that may be a violation of this policy involving a student, employee, program participant, visitor, volunteer or contractor must report it to the Title IX Coordinator within 24 hours of becoming aware of the matter.

Employees must report complaints regardless of the person reporting the incident's desire for the matter to remain confidential and regardless of whether a report is made with campus or local law enforcement. Mandatory reporting is not required when a person discloses sexual misconduct during a public awareness event, such as "Take Back the Night." Employees who are uncertain as to whether or not a disclosure is subject to mandatory reporting should contact

the Title IX Coordinator. Employees that have been subjected to sexual misconduct are not required to self-report the alleged incident they were involved in, but are encouraged to do so.

A complaint may also be filed with the federal Department of Education's Office for Civil Rights (OCR). Information about how to file a complaint with OCR is available at:

[https://ocrcas.ed.gov/contact-ocr?field\\_state\\_value=691](https://ocrcas.ed.gov/contact-ocr?field_state_value=691). OCR can also be contacted at:

Department of Education, Office for Civil Rights, 915 Second Avenue, Room 3310 Seattle, WA 98174, by phone at (206) 607-1600 or by email, [OCR@ed.gov](mailto:OCR@ed.gov).

## Response to Title IX Complaints

EWU must respond to Title IX complaints in a prompt and equitable manner. To assist the university in achieving this goal, this policy identifies timelines for each part of the grievance process. If the university, complainant, or respondent, wishes to temporarily delay the grievance process or extend a timeline, the person seeking the extension must file a written request with the Title IX Coordinator. The request must identify the reason for the delay. The Title IX Coordinator or designee may extend the timeframes for good cause. Good cause includes situations such as the absence of a party, party's advisor, or witness at a hearing; concurrent law enforcement activity; or the need for language assistance or accommodations. If the respondent requests a delay because of a related criminal proceeding, the Title IX Coordinator or designee will engage in a balancing process based on the particular circumstances of the case consistent with state law. The Title IX Coordinator or designee will issue a written response to the request and state the reasons for why the request has been granted, modified, or denied. A copy of this decision will be provided to the complainant and respondent.

Individuals who play a role in investigating, presiding over, and making decisions pertaining to complaints under this policy, including, but not limited to, the Title IX Coordinator, investigator, presiding officer, Hearing Board, and appeal authority, shall not have any conflict of interest in the process or a bias for or against complainants or respondents generally or an individual complainant or respondent. This includes, but is not limited to, being a witness to the alleged misconduct or being a close family member or friend of the complainant, respondent, or a witness.

If a complainant or respondent believes one of these individuals has a conflict of interest or bias, they should immediately notify the Title IX Coordinator. If the Title IX Coordinator is the person

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alleged to have a conflict of interest or bias, they should immediately notify the Chief of Staff. The Title IX Coordinator or Chief of Staff shall determine whether a conflict of interest exists and take appropriate action.

After receiving a complaint, the university will promptly reach out to the complainant to provide information about EWU's process, their rights, reporting options, resources, and available supportive measures, including information about:

- Reporting options:
  - EWU process: Complaints may be filed with the Title IX Coordinator. This includes complaints against EWU students, employees, contractors, vendor, volunteers and visitors;
  - Criminal: Criminal complaints can be filed with the EWU police department or any law enforcement agency that has jurisdiction over the location where the incident occurred; or
  - Both: A complainant may report an incident to both EWU and law enforcement.
- Resources:
  - A list of resources for obtaining protective, no contact, restraining or similar orders, if relevant;
  - How to seek medical treatment, the importance of preserving evidence relevant to the alleged conduct, or that may be helpful in obtaining a protective order and procedures to follow to preserve such evidence;
  - A list of existing on and off campus counseling, health care services, mental health services, victim advocacy, financial aid, legal assistance, visa and immigration assistance, and other services for complainants and respondents; and
  - Information about available supportive measures.

## Supportive Measures

After receiving a complaint, the Title IX Coordinator or designee will review the complaint and determine whether or not supportive measures or interim restrictions are needed. Supportive measures are available regardless of whether someone wants to file a complaint. Supportive measures are also available for both complainants and respondents.



Supportive measures may include, but are not limited to, safety planning with EWU, mutual restrictions on contact between the parties, academic or workplace modifications, leaves of absence, increased security, and counseling options. Supportive measures are designed to restore or preserve equal access to EWU's educational programs or activities without unreasonably burdening either party, including protecting the safety of all parties and EWU's educational environment, or deterring sexual misconduct or discrimination. Supportive measures are confidential and will only be shared with those people who need to know such information to enable EWU to provide the supportive measures. The Title IX Coordinator or designee is responsible for coordinating the effective implementation of supportive measures.

## Confidentiality

Information gathered during an investigation and adjudication of a complaint under this code will be maintained in a confidential manner to the extent permitted by law. During an investigation, complaint information will be disseminated only on a need-to-know basis. The university cannot ensure confidentiality, as its legal obligations under federal or state law may require investigation of the allegation and possible disclosure of the complainant's name. Reports of crime to the campus community, timely warnings and EWU's annual security report shall not include the names of the complainants or victims. Files subject to public disclosure will be released to the extent required by law.

## Complaints

Complaints can be filed by anyone who has been directly impacted by conduct that violates this code. The Title IX Coordinator can also file a complaint against a student or student organization on behalf of the university. To initiate a complaint, a person must submit a request for the university to investigate their concerns either verbally or in writing to the Title IX Coordinator or designee. Filing a complaint under this code does not prohibit or limit a person's right to file complaints or charges with other civil and/or criminal authorities for violations of local, county, state or federal law.

The Title IX Coordinator or designee will determine if the complaint meets the definition of a formal Title IX complaint. A formal Title IX complaint is defined as:

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

The Title IX Coordinator will also determine whether or not informal resolution is appropriate, and if so, refer the matter to the person designated to handle informal resolutions. If the complaint falls within the definition of a formal Title IX complaint, a written complaint must be received from either the complainant or the Title IX Coordinator requesting initiation of the investigative process or the complaint will be dismissed.

## Sexual Misconduct & Interpersonal Violence Complaints Against Students

[For FULL PROCESS, see [Chapter 172-125 WAC, Discrimination and Title IX Violations by Students](#)]

### Complaints

Complaints can be filed by anyone who has been directly impacted by conduct that violates this code. The Title IX Coordinator can also file a complaint against a student or student organization on behalf of the university. To initiate a complaint, a person must submit a request for the university to investigate their concerns either verbally or in writing to the Title IX Coordinator or designee. Formal Title IX complaints must be made in writing. Filing a complaint under this code does not prohibit or limit a person's right to file complaints or charges with other civil and/or criminal authorities for violations of local, county, state or federal law.

### *Interim Restrictions*

The Title IX Coordinator or designee will also determine whether or not interim restrictions are needed after conducting an individualized safety and risk determination in conjunction with other EWU officials. Interim restrictions must be in place in situations where there is cause to believe that a student or a student organization poses an imminent and serious threat to the health or safety of any student or other individual arising from alleged misconduct, including themselves. After interim restrictions are imposed, the complaint will be referred for investigation.

Interim restrictions may include, but are not limited to:

- Denial of access to certain areas, assignment to alternate university housing or removal from university housing, limitation of access to university facilities, limitations on engaging in certain activities, or restriction of communication with specific individuals or groups;
- Interim suspension, including temporary total removal from the university or restriction of access to campus;

- Mandatory medical/psychological assessment of the student's capability to remain in the university; or
- Administrative leave for student employees.

The complainant will also be provided with notice of any interim restrictions that relate directly to the complainant.

## **Resolutions Options and Grievance Procedures**

### **Informal Resolution**

The Title IX Coordinator or investigator may refer any report or complaint to the informal resolution process. It is not necessary that a formal complaint be filed for a report to be referred to this process, unless the complaint meets the definition of a formal Title IX complaint. A report/complaint may be referred to the informal resolution process at any time prior to the completion of an investigation. The Title IX Coordinator may determine informal resolution is not appropriate, even if requested by both parties, if the alleged conduct could present a future risk of harm to others. Informal resolution is not available for complaints for sexual harassment committed by an employee against a student.

Informal resolution processes may include a variety of voluntary processes that are structured to facilitate dialogue between impacted parties while balancing support and accountability. The various types of informal resolution options available at EWU and procedures for resolution are available on the EWU Title IX website. In all cases, the impacted parties must agree in writing to participate in the informal process. A party is not required to waive the right to an investigation and/or hearing to participate in this process.

Informal resolutions will be handled by an EWU employee who is trained to facilitate such processes. In no case will the informal resolution officer be the same person as the investigator or any EWU employee who will make a decision regarding the complaint if informal resolution is not successful. The informal resolution officer must also not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.



Before beginning the informal resolution process, EWU will provide both parties with the following information in writing:

- Summary of the alleged conduct;
- The requirements of the informal resolution process;
- Notice that prior to agreeing to a resolution, any part has the right to withdraw from the informal resolution process and to initiate or resume the investigative process;
- That the parties' agreement to a resolution at the conclusion of the informal resolution process will preclude the parties from initiating or resuming a formal complaint process arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information EWU will maintain and whether and how EWU might use such information if the formal complaint process is initiated or resumed.

Any informal resolution agreement must be in writing and signed by the parties and the informal resolution officer. In the agreement, the parties must be advised in writing that:

- The agreement is final, and they are waiving any right to a formal complaint process, including any right to appeal; and
- If a student does not successfully complete all aspects of an agreement, they may be charged with failure to comply under the student conduct code, and/or any possible violation of this code for the conduct that was the basis for the informal resolution.

If any party decides to leave the informal resolution process or the informal resolution officer determines the process is no longer appropriate, then the matter shall be referred back to the Title IX Coordinator to determine the next steps under this code.

### **Level One Process**

The Level One Process applies to all violations of this code that do not involve felony-level crimes, would not result in the suspension or expulsion of a student, or fall within the definition

of a formal Title IX complaint. If the alleged misconduct could constitute a felony-level crime or result in a student's suspension or expulsion, it must be referred to the Level Two Process outlined below. If the alleged misconduct fits within the definition of a formal Title IX complaint, it must be referred to the Level Three Process outlined below. The Level One Process is considered a brief adjudicative proceeding.

### ***Notice of Investigation and Allegations***

If the Title IX Coordinator refers a complaint to investigation, the Title IX Coordinator will assign an investigator to conduct an investigation. The investigator will serve the respondent and the complainant with a notice of investigation and allegations that meets the following requirements:

- Is made in writing;
- Includes a written list of the allegations against the respondent with sufficient details of the allegations based on current information including, if known, date and time of the incident, description of the conduct, and the specific sections of this code and the student conduct code allegedly violated;
- Contact information for the investigator;
- Parties' rights during the process, including:
  - Right to a fair and equitable process;
  - Right to have investigators and decision-makers that do not have a conflict of interest or bias against the parties.
  - Right to remain silent during the investigation;
  - Right to have an advisor of their choice, at their cost, during the process. The advisor may be, but is not required to be, an attorney. During the investigative process, the advisor may be present and advise the party, but may not answer questions on the party's behalf;
  - Right to provide evidence to the investigator;
  - Right to be presumed not responsible and that a conclusion of responsibility is not made until the conclusion of the investigative process; and
  - Right to request accommodation or interpreter for the process.

- Information about the investigative process and, if applicable, informal resolution;
- A statement that complainants, respondents and witnesses are prohibited from knowingly making false statements or furnishing false information during the process. A person will not be disciplined for making a false statement based solely on whether or not EWU determines a complaint under this code is substantiated;
- EWU's prohibition on retaliation and how to report acts of retaliation;
- Information about how the parties will be provided an equal opportunity to access relevant information gathered during the investigation; and
- Information about supportive measures and resources available to both parties.

### *Investigative Process*

During the investigation, the investigator is responsible for gathering sufficient evidence to determine whether or not this code has been violated. The investigator has discretion in determining the formality, scope, and process of the investigation. If additional allegations are discovered during the course of the investigation, the investigator shall issue an updated notice of investigation. Before scheduling an interview with a complainant or respondent, the investigator must provide the party with written notice of the date, time, location, participants and purpose of the meeting with sufficient time for the party to prepare. The investigative process must include:

- Contacting the complainant to review the complaint, gather more information, and to identify relevant witnesses and relevant evidence (emails, social media posts, photos, etc.).
- Contacting the respondent to review the complaint, gather more information, and to identify relevant witnesses and relevant evidence (emails, social media posts, photos, etc.).
- Conducting interviews with witnesses to have knowledge of the alleged behavior and gathering relevant evidence.
- Parties may identify fact witnesses, expert witnesses, and other inculpatory and exculpatory evidence. If a party wishes to provide information from an expert witness, the party is responsible for any costs associated with the expert witness.

- The investigator must have the ability to question parties and witnesses to assess their credibility to the extent credibility is both in dispute and relevant. The investigator may ask questions during individual meetings with a party or witness.
- The investigator may choose to place less or no weight upon statements by a party or witness who refuses to respond to the investigator's questions. The investigator, however, must not draw an inference about whether or not this code was violated based solely on a party's or witness's refusal to respond to the investigator's questions.
- After gathering the relevant evidence, the investigator must provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is relevant to the allegations raised in the complaint and not otherwise impermissible.
- The investigation shall not include evidence nor shall any information provided be disclosed to another person if such information:
  - Is evidence protected under a legal privilege recognized by federal or state law, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
  - Records that are made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless EWU obtains that party's or witness's voluntary, written consent for use of the information in the investigation;
  - Information about the complainant's sexual predisposition or prior sexual behavior, unless the evidence is relevant to demonstrate that someone other than the respondent committed the conduct alleged by the complainant, or the evidence concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is relevant to the questions of consent. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent in the incident under investigation.

### ***Investigative Report and Determination of Responsibility***

After gathering the relevant evidence, the investigator must objectively evaluate the information gathered and determine the credibility of the parties. Credibility determinations must not be based on a person's status as a complainant, respondent or witness. The investigator will prepare an investigative report that accurately summarizes the information gathered and makes determinations on whether or not this code or the student conduct code has been violated based on a preponderance of the evidence, meaning it is more probable than not that an act occurred.

If the investigator determines the respondent has not violated this code or any provision of the student conduct code, the investigator will simultaneously serve the investigative report on the complainant and respondent along with information about how to appeal the investigator's decision.

If the investigator determines the respondent has violated this code or any provision of the student conduct code, the investigator will send the investigative report to the Director of Student Rights and Responsibilities (SRR). The director or designee will then determine the appropriate sanction for the misconduct substantiated by the investigator within seven calendar days of receiving the remedies for the complainant or other impacted students are appropriate. Remedies must be provided to the complainant or other impacted students if needed to restore or preserve equal access to the university's education programs or activities. The director or designee will add an additional section to the investigative report setting forth their decision as to the appropriate sanction and the reasons for their decision. The director or designee will then simultaneously serve the full investigative report and sanctioning decision on the complainant and respondent along with information about how to appeal under this code, if the student is also an employee of the university, the director's decision may be forwarded to the student's supervisor to determine whether any employment actions outside of this code should be taken in accordance with university policy.

### ***Timelines and Extensions***

EWU must respond to complaints under this code in a prompt and equitable manner. To assist EWU in reaching this goal, this code includes various timelines. EWU's goal is to complete the



investigations within 90 days. If EWU needs additional time, the investigator must provide written notice to the complainant and respondent of the delay and reasons for the delay. Delays and extensions beyond 90 days must be based on good cause.

### *Appeals*

Either party may file an appeal from the investigator's decision regarding responsibility or the director's decision regarding the sanction. Appeals must be submitted in writing by 5:00 pm PST within 21 calendar days from the date the investigative report is sent to the parties. Appeals must be submitted via email to [srr@ewu.edu](mailto:srr@ewu.edu). The appeal must include the party's name and why they believe the investigator or director's decision was incorrect based on the bases for appeal outlined below. If no appeal is timely filed, the investigator/director's decisions are final.

Appeals may be filed for one or more of the following reasons:

- Procedural irregularity that would change the outcome of the investigator or director's decisions;
- New evidence that would change the investigator's decision that was not reasonably available when the investigative report was finalized; or
- The investigator or director had a conflict of interest or bias for or against complainants or respondents generally or the individual parties that would change the outcome of the investigation.

Once an appeal is filed, the office of Student Rights and Responsibilities will serve the other party with a copy of the appeal. The other party will be given five calendar days to provide a written response to the appeal.

Sanctions go into effect immediately after the director's decision is issued. If the respondent wishes to have a sanction stayed during the appeal process, a request for a stay must be filed along with the notice of appeal. The request for the stay will be reviewed by the director or designee. The stay may be granted in part or in its entirety, at the discretion of the director.

The decision will be served on the respondent and the complainant. This decision is not subject to appeal.

Appeals will be determined by the Dean of Students or designee. The director will provide the appeal authority with the notice of appeal, any responses to the appeal, and the investigative report. Before rendering a decision, the appeal authority may request additional information or explanation from the parties. However, except as required to explain the basis of new information, an appeal shall be limited to a review of the investigative report.

After reviewing the appeal, the appeal authority may affirm, reverse, modify or remand the decision(s) of the investigator and/or director. The appeal decision shall include an explanation of the appeal authority's decision and rationale. The appeal decision must be served on the complainant and respondent within 30 calendar days of the appeal authority receiving all necessary documentation. In cases where the appeal authority remands the decision or sanction, the case will be returned to either the investigator or director for reconsideration or other action as specified by the appeal authority. With respect to sanctions, the appeal authority may affirm, reverse, remand or modify the sanctions assigned to the respondent. When determining sanctions, the appeal authority may consider the complete records of the respondent's prior conduct and academic performance in addition to all other information associated with the case.

Once the appeal authority has made a final decision to affirm or reverse and/or to modify the sanctions assigned, the appeal authority shall draft a brief written statement setting forth the outcome of the appeal and the basis for their decision. This is then forwarded to the director. The director shall serve the written statement on the complainant and respondent. The notice will also inform the parties that the appeal authority's decision is final, and no further appeals may be made within the university.

## **Level Two Process**

The Level Two Process applies to all violations of this code that involve felony-level crimes of that may results in the suspension or expulsion of a student, but that do not fall within the definition of a formal Title IX complaint. If any of the alleged misconduct could constitute a

felony-level crime or result in a student's suspension or expulsion, it must be referred to the Level Two Process outlined in this section. The Level Two Process is considered a full adjudicative proceeding. Alleged misconduct that fits within the definition of a formal Title IX complaint must be referred to the Level Three Process.

### ***Notice of Investigation and Allegations***

If the Title IX Coordinator refers a complaint to investigation under the Level Two Process, the Title IX Coordinator will assign an investigator to conduct an investigation. The investigator will serve the respondent and complainant with a notice of investigation and allegations as outlined in the Level One Process (above).

### ***Investigative Process***

During the investigation, the investigator is responsible for gathering and evaluating sufficient evidence to determine whether or not this code has been violated, as described above in Level One Process.

If the investigator determines the respondent has not violated this code or any provision of the student conduct code, the investigator will simultaneously serve the complainant and respondent with the investigative report along with information about how to appeal the investigator's decision.

If the investigator determines the respondent has violated this code or any provision of the student conduct code, the investigator will send the investigative report to Student Rights and Responsibilities. The director or director's designee will then determine the appropriate sanction for the misconduct substantiated by the investigator within seven calendar days of receiving the investigative report. The director will also determine whether or not remedies for the complainant or other impacted students are appropriate. Remedies must be provided to the complainant or other impacted students if needed to restore or preserve equal access to the university's educational programs or activities. The director or designee will add an additional section to the investigative report setting forth their decision as to the appropriate sanction and the reasons for their decision. The director or designee will then simultaneously serve the

complainant and respondent with the full investigative report and sanctioning decision, along with information about how to appeal the investigator and director's decisions. In addition to sanctions under this code, if the student is also an employee of the university, the director's decision may be forwarded to the student's supervisor to determine whether any employment actions outside of this code should be taken in accordance with university policy.

EWU must respond to complaints under this code in a prompt and equitable manner. To assist EWU in reaching this goal, this code includes various timelines. EWU's goal is to have investigations completed within 90 days. If the university needs additional time, the investigator must provide written notice to the complainant and respondent of the delay and reasons for the delay. Delays and extensions beyond 90 days must be based on good cause.

If either party disagrees with the decision of the investigator or director, they may request a full de novo hearing by filing a request for hearing with the office of Student Rights and Responsibilities. The request for hearing must be sent in writing to [srr@ewu.edu](mailto:srr@ewu.edu) by 5:00 pm PST within 21 calendar days from the date the investigative report is sent to the parties. If a timely request for hearing is received, the director will refer the case to a full hearing before the Student Disciplinary Council.

### **Level Three Process**

The Level Three Process applies to any complaint that meets the definition of a formal Title IX complaint. The Level Three Process is considered a full adjudicative proceeding.

#### ***Notice of Investigation and Allegations***

If the Title IX Coordinator refers a complaint to investigation under the Level Three Process, the Title IX Coordinator will assign an investigator to conduct an investigation. The investigator will serve the respondent and complainant with a notice of investigation and allegations as outlined in the Level One Process (above).

### ***Investigative Process***

During the investigation, the investigator is responsible for gathering sufficient evidence to determine whether or not this code has been violated, as described above in Level One Process.

### ***Investigative Report***

After gathering the relevant evidence, the investigator will send to each party the evidence obtained during the investigation that is directly related to the allegations raised, including the evidence upon which the university does not intend to rely in reaching a determination regarding responsibility and inculpatory and exculpatory evidence. Each party will then have at least 10 calendar days to submit a written response for a Title IX complaint. The investigator will consider the written response prior to the completion of the investigative report.

At the conclusion of the investigation, the investigator will prepare a final written report that fairly summarizes the relevant evidence and evaluates the credibility of the parties. Credibility determinations must not be based on a person's status as a complainant, respondent, or witness. The investigator will prepare an investigative report that accurately summarizes the information gathered and provides a recommendation to the student disciplinary council as to whether or not this code or the student conduct code has been violated based on a preponderance of the evidence.

The investigative report, along with any evidence collected during the investigation, shall then be transmitted to the Director of SRR at least 10 days prior to any hearing. The investigator will also provide a copy of the report to the parties for their review and written response. The Director of SRR will then convene the student disciplinary council for a hearing and assign the parties university provided advisors for purposes of the hearing if they do not already have an advisor.

### ***Timelines and Extensions***

EWU must respond to complaints under this code in a prompt and equitable manner. To assist EWU in reaching this goal, this code includes various timelines. EWU's goal is to have



investigations completed within 90 days. If the university needs additional time, the investigator must provide written notice to the complainant and respondent of the delay and reasons for the delay. Delays and extensions beyond 90 days must be based on good cause.

### ***Full Hearings Before the Student Disciplinary Council***

When a student disciplinary council is needed for a full hearing following a request for a full hearing under the Level Two Process or in all cases involving a Level Three Process, the Title IX Coordinator or Dean of Students shall appoint a presiding officer and members to serve on the council consistent with the procedures for appointing a council under the student majority vote of the council and are conducted de novo.

Following receipt of a timely request for a full hearing, the director or designee will notify both parties of the date, time and location of the prehearing. The purpose of the prehearing is to explain the hearing procedures to the parties, schedule a date for the full hearing, and to address any preliminary matters or motions. A full hearing must be scheduled within 30 calendar days of the date of the request for a hearing from a party, absent good cause for an extension.

Following the prehearing conference, the director shall schedule the hearing and serve the respondent and complainant with notice of the date, time, location, participants and purpose of the hearing. At the discretion of the presiding officer, and where the rights of the parties will not be prejudiced thereby, all or part of any hearing must have an opportunity to participate effectively in the hearing. This may include remote participation via audio visual means. The notices will include information about how to request accommodations or interpreters for any parties or witnesses. Any request for the presence of an emotional support animal or any other accommodation must be directed to student accommodation and support services and approved as a reasonable accommodation in advance of the hearing. The notice of hearing must be served on the respondent and complainant at least seven calendar days prior to the hearing.

The parties will be provided options for reasonable alternative arrangements if they do not wish to be present in the same room as the other student during the hearing. The parties may appear at the conduct review hearing in person via a method that allows the council to hear the parties and physically observe them while testifying. If a party does not appear at the hearing, the

council will decide the case based on the information available. The council cannot draw an inference regarding responsibility based on the failure to appear or refusal to answer cross examination or other questions.

The complainant and the respondent may be assisted by one advisor during conduct review hearings. The advisor is there to provide guidance and advice to the party but is not allowed to speak on behalf of the party, answer questions on the party's behalf or question the other party or witnesses except for Level Three hearings in which case the advisor may question the parties and witnesses. Any person including a party or advisor who disrupts a hearing or does not follow the standards of decorum set by the presiding officer may be excluded from the proceedings. In the interest of fairness and expedience, the presiding officer may permit any person to appear by a method that allows the person to be seen and heard by the council.

### ***Standard of Evidence***

The council shall determine whether the respondent violated this code and the student conduct code, as charged in the notice of allegations sent by the investigator, based on a preponderance of the evidence. The council will be provided with a copy of the investigative report and all associated exhibits. The investigative report and exhibits will be admitted into evidence. If the parties wish the council to consider additional documentary evidence, such evidence should be provided to the director in advance of the hearing. The council may review proposed exhibits prior to the hearing.

Evidence, including hearsay evidence, is admissible if in the judgment of the presiding officer it is the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their affairs.

The parties and the investigator may provide a brief opening statement to the council at the beginning of the proceeding.

## *Witnesses*

The complainant, respondent and the university's investigator may call witnesses at full hearings. The person who wishes to call a witness is responsible for ensuring that the witness is available and present at the time of the hearing. An attorney may subpoena a witness to appear at the hearing. Non-attorneys may request the presiding officer to subpoena witnesses.

## *Questioning*

The university investigator, presiding officer, or the council may ask questions of any witnesses or the parties.

- Level Two Process: The complainant and respondent will both be given the opportunity to submit questions in writing to the presiding officer for each party/witness. The presiding officer will ask the questions of the party/witness proposed by the complainant or respondent as long as the questions are relevant and not otherwise impermissible. The presiding officer will not ask proposed questions that are unclear or that harass the party or witness being questioned. In no case will the complainant, respondent or their advisors question witnesses or parties directly.
- Level Three Process: All questions of witnesses must be asked by an advisor, the investigator, the presiding officer or the Student Disciplinary Council. Questions may be asked directly the advisor or investigator and do not need to be submitted in writing to the presiding officer. The presiding officer may limit or exclude questions that are irrelevant, harassing or that have already been asked. Prior to allowing a question to be answered during cross-examination, the presiding officer must determine that the question is relevant, and, if excluded, the presiding officer must explain on the record the reason for the exclusion. The council cannot draw an inference regarding responsibility based on the failure to appear or refusal to answer cross-examination or other questions.
- Level Two and Level Three Processes: The presiding officer must exclude and the council shall not consider any questions or evidence pertaining to the complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the

respondent committed the conduct alleged by the complainant, of if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The presiding officer will explain to the parties the reasons for rejecting any question and will maintain a record of the questions submitted and rulings made.

### ***Remote Appearance***

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

### ***Role of the Investigator***

The investigator will provide an opening statement outlining the notice of investigation and allegations, the steps taken during the investigative process, a brief summary of the evidence gathered, and the investigator's recommendation. The investigator may also call witnesses, ask questions and offer evidence during the hearing.

### ***Deliberations and Sanctions***

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

The council shall issue a decision including their findings, conclusions, and rationale. The decision shall address credibility issues if credibility or witness demeanor was a substantial factor in the council's decision. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness. The finding shall be based exclusively on the evidence provided at the hearing or contained in the investigative report. If the council finds the respondent violated the code, the presiding officer shall add the decision regarding sanctions and remedies to the council's decision. Such decisions should be served on the complainant and respondent within 14 calendar days from the date of the hearing. The written decision shall also:

- Designate all parties and representatives participating in the proceeding;
- Identify the allegations at issue;
- A description of the procedural steps taken, including notifications to the parties, interviews with the parties and witnesses, methods used to gather other evidence, and hearings held;
- Contain findings of fact;
- Contain conclusions regarding the application of university policies and this code to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed, and if any remedies are necessary to provide to the complainant or any other impacted student to restore or preserve equal access to the EWU's educational programs or activities; and
- Contain a statement describing rights to appeal and the procedures for appealing.

The council's and presiding officer's decision becomes final at the conclusion of this process if an appeal is not timely filed. The presiding officer shall serve the complainant and respondent with a copy of the decision and notice of the right to appeal. The Title IX Coordinator must also be provided with a copy of the decision as the Title IX Coordinator is responsible for effective implementation of any remedies.



## Appeals of Student Disciplinary Council Decisions

### *Timeline*

Either party may file an appeal from the Student Disciplinary Council's decision. Appeals must be submitted in writing by 5:00 pm PST within seven calendar days from the date the Student Disciplinary Council's decision is sent to the parties. Appeals must be submitted via email to [srr@ewu.edu](mailto:srr@ewu.edu). The appeal must include the party's name and why they believe the student disciplinary council's decision was incorrect based on the bases for appeal outlined below:

- Procedural irregularity that would change the outcome of the s Student Disciplinary Council's decision;
- New evidence that would change the Student Disciplinary Council's decision that was not reasonably available when the investigative report was finalized; or
- A member of the Student Disciplinary Council or the presiding officer had a conflict of interest or bias for or against complainants or respondents generally or the individual parties that would change the outcome of the investigation.

### *Response*

Once an appeal is filed, the office of Student Rights and Responsibilities will serve the other party with a copy of the appeal. The other party will be given five calendar days to provide a written response to the appeal.

### *Sanctions*

Sanctions go into effect immediately after the council's decision is issued. If the respondent wishes to have a sanction stayed during the appeal process, a request for a stay must be filed along with the notice of appeal. The request for the stay will be reviewed by the director or designee. The stay may be granted in part or in its entirety, at the discretion of the director. The decision will be served on the respondent and the complainant. This decision is not subject to appeal.

### *Appeal Authority*

Appeals will be determined by the Vice President for Student Affairs or designee. The director will provide the appeal authority with the notice of appeal, any responses to the appeal, and the complete records of the student disciplinary council hearing. Before rendering a decision, the appeal authority may request additional information or explanation from the parties. However, except as required to explain the basis of new information, an appeal shall be limited to a review of the evidence presented to the Student Disciplinary Council.

### *Decisions*

After reviewing the appeal, the appeal authority may affirm, reverse, modify or remand the decision(s) of the Student Disciplinary Council. The appeal decision shall include an explanation of the appeal authority's decision and rationale. The appeal decision must be issued within 30 calendar days for the appeal authority receiving all necessary documentation. In cases where the appeal authority remands the decision or sanction, the case will be returned to the student disciplinary council or presiding officer for reconsideration or other action as specified by the appeal authority. With respect to sanctions, the appeal authority may affirm, reverse, remand, or modify the sanctions assigned to the respondent. When determining sanctions, the appeal authority may consider the complete record of the respondent's prior conduct and academic performance in addition to all other information associated with the case.

### *Notification*

Once the appeal authority has made a final decision to affirm or reverse and/or to modify the sanctions assigned, the appeal authority shall draft a brief written statement setting forth the outcome of the appeal and the basis for their decision. The written statement is then forwarded to the director. The director shall serve the complainant and respondent with the written statement. The notice will also inform the parties that the appeal authority's decision is final and no further appeals may be made within the university.

## Sanctions and Remedies

If any student or student organization is found to have committed a violation of WAC 172-125-010, one or more of the sanctions described in this section may be imposed against the student or student organization. Imposed sanctions are effective as of the date the director or Student Disciplinary Council issues its decision unless the decision specifically identifies an alternative date. Failure to comply with any imposed sanction may result in additional sanctions. In addition to the sanction imposed by this code, if a student is also an employee of the university, the university may impose additional discipline in accordance with its policies and procedures pertaining to employees.

Individual student sanctions include:

- Admonition: An oral statement to a student that they have violated university rules and regulations.
- Warning: A notice to the student or student organization that they have violated the standards for students and that any repeated or continuing violation of the same standard, within a specified period of time, may result in more severe disciplinary action. A warning may be verbal or written.
- Censure: A written reprimand for violation of specified regulations. A censure will also state that more severe disciplinary sanctions may be imposed if the student or student organization is found in violation of any university policy or regulation within a stated period of time.
- Disciplinary probation: A formal action which places one or more conditions, for a specified period of time, on the student's continued attendance. Disciplinary probation sanctions will be executed in writing and will specify the probationary conditions and the period of the probation. A disciplinary probation notice will also inform the student that any further misconduct will automatically involve consideration of the suspension. Probationary conditions may include, but are not limited to:
  - Restricting the student's university-related privileges;
  - Limiting the student's participation in extracurricular activities; and/or

- Enforcing a “no contact” order which would prohibit direct or indirect physical and/or verbal contact with the specific individuals or groups.
  - Restitution: Reimbursement to the university or others for damage, destruction, or other loss of property. Restitution also include reimbursement for medical expenses incurred due to code violations. Restitution may take the form of appropriate service or other compensation. Failure to fulfill restitution requirements may result in a hold on a student’s ability to register and may prevent the student from future registration until restitution conditions are satisfied.
  - Fines: Monetary fines up to a maximum of \$500 against individual students for violation of university rules or regulations or for failure to comply with university standards of conduct may be imposed. Failure to promptly pay such fines may prevent the student from future registration. Failure to pay may also result in additional sanctions.
  - Discretionary sanctions: Work assignments, service to the university community or other related discretionary assignments for a specified period of time as directed by the hearing authority.
  - Loss of Financial Aid: In accordance with RCW 28B.10.902, a person who participates in the hazing of another forfeits entitlement to state-funded grants, scholarships or awards for a specified period of time determined by the university.
  - Assessment: Referral for drug/alcohol or psychological assessment may be required. Results of the assessment may lead to the determination that conditions of treatment and further assessment apply to either continued attendance or return after a period of suspension.
  - Suspension: Exclusion from classes and other privileges or activities for a specified period of time. Suspensions will be executed through a written order of suspension and will state all restrictions imposed by the suspension, as well as the suspension period and what conditions of readmission, if any, are ordered. Suspensions may be noted on the student’s transcript during the period of time the suspension is in effect.
  - Expulsion: Permanent separation of the student from the university with no promise (implied or otherwise) that the student may return at any future time. The student will also be barred from university premises. Expulsions may be noted on the student’s transcript.
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- Loss of institutional, financial aid funds: Formal withholding of all or a part of institutional funds currently being received by the student or promised for future disbursement to the student for a specified period of time. Loss of financial aid is subject to the processes outlined in this chapter except any such loss must be approved by the Dean of Students and the Vice President for Student Affairs before such sanction is imposed.
- Revocation of degree: A degree awarded by the university may be revoked for fraud, misrepresentation, or other violation of law or university standards. Revocation of a degree is subject to processed outlined in this chapter except that revocation of a degree must also be approved by the university president.

For student organizations and/or groups, any of the above sanctions may be imposed in addition to those listed below:

- Probation: Formal action placing conditions on the group's continued recognition by or permission to function at the university. The probationary conditions will apply for a specified period of time. Violation of the conditions of probation or additional violations while under probation may result in more severe sanctions;
- Social Probation: Prohibition of the group from sponsoring any organized social activity, party or function, or from obtaining permission for the use of alcoholic beverages at social functions for a specified period of time;
- Restriction: The temporary withdrawal of university or ASEWU recognition for a group, club, society or other organization. Restriction is subject to the processes outlined in this chapter except any restriction must also be approved by the Dean of Students and the Vice President for Student Affairs before such sanction is imposed;
- Revocation: The permanent withdrawal of university or ASEWU recognition for a group, club, society or other organization. Per RCW 28B.10.902, any organization, association or student living group that knowingly permit hazing to be conducted by its members or by other subject to it direction or control shall be deprived of recognition by the university;
- Additional Sanctions: In addition to or separately from the above, any one or a combination of the following may be concurrently imposed on the group:

- Exclusion from intramural competition as a group;
- Denial of use of university facilities for meetings, events, etc.;
- Restitution; and/or
- Fines.

For violations of this code, the university may provide remedies to the complainant and other students impacted by the discriminatory conduct designed to restore or preserve equal access to the university's educational programs or activities.



## Overview of Formal Title IX Investigation

[For FULL PROCESS, see [EWU Policy 402-07 – Title IX Investigations & Hearings](#)]

This policy applies to the procedures used to respond to formal Title IX complaints against EWU employees.

### Complaint Review

Upon receipt of a complaint, the Title IX Coordinator or designee will review the complaint to determine if it meets the definition of a formal Title IX complaint. If the complaint does not meet all of the elements of a formal Title IX complaint, the complaint may be investigated and addressed under other university policies, but it will not be considered a formal Title IX complaint. If a complaint involves sexual misconduct or interpersonal violence but does not fall under the scope of this policy, the Title IX Coordinator will simultaneously inform the complainant and respondent that the complaint is not considered a formal Title IX complaint and the reasons it does not fit within the required elements of a formal Title IX complaint.

If the complainant or respondent has requested informal resolution the Title IX Coordinator will determine whether or not informal resolution is appropriate and, if so, refer the matter to the person designed to handle informal resolutions. If the complaint falls within the scope of this policy and the complainant is not interested in an informal resolution or informal resolution is not appropriate, the complaint will be assigned to an investigator as identified below.

### *Extensions and Timelines*

EWU must respond to Title IX complaints in a prompt and equitable manner. This policy identifies timelines for each part of the grievance process. If the university, complainant or respondent wishes to temporarily delay the grievance process or extend a timeline, the person seeking the extension must file a written request with the Title IX Coordinator. The request must identify the reason for the delay. The Title IX Coordinator or designee may extend the timeframes for good cause, including such situations as the absence of a party, party's advisor, or witness at a hearing; concurrent law enforcement activity; or the need for language assistance or accommodations. If the respondent requests a delay because of a related criminal proceeding, the Title IX Coordinator or designee will engage in a balancing process based on the particular

circumstances of the case consistent with state law. The Title IX Coordinator or designee will issue a written response to the request and state the reasons for why the request has been granted, modified or denied. A copy of this decision will be provided to the complainant and respondent.

### **Informal Resolution**

The Title IX Coordinator or investigator may refer formal Title IX complaints to the informal resolution process at any time prior to the completion of an investigation. The Title IX Coordinator may determine informal resolution is not appropriate, even if requested by both parties, if the alleged conduct could present a future risk of harm to others or other circumstances are present that make informal resolution inappropriate. This decision is not subject to appeal. Informal resolution may not be used for formal Title IX complaints filed by students against EWU employees.

Informal resolution processes may include a variety of voluntary processes that are structured to facilitate dialogue between impacted parties while balancing support and accountability. The various types of informal resolution options available at EWU and procedures for resolution are available on the EWU Civil Rights and Title IX websites. In all cases, the impacted parties must agree in writing to participate in the informal process and EWU will not require or pressure a party to participate in the informal process. A party is not required to waive the right to an investigation and/or hearing to participate in this process.

Before beginning the informal resolution process, EWU will provide both parties with the following information in writing:

- Summary of the alleged conduct;
- The requirements of the informal resolution process, including the circumstances under which a party may be precluded from resuming a formal complaint arising from the same allegations;
- Notice that, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the investigative process;

- That the parties' agreement to a resolution at the conclusion of the informal resolution process will preclude the parties from initiating or resuming a formal complaint process arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information EWU will maintain and whether and how EWU might use such information if the formal complaint process is initiated or resumed.

Any informal resolution agreement must be in writing and signed by the parties and the informal resolution officer in the agreement, if the parties must be advised in writing that:

- The agreement is final, and they are waiving any right to a formal complaint process, including any right to appeal; and
- If a party does not successfully complete all aspects of an agreement, they may be disciplined for failure to comply with the agreement, and/or any possible violation of university policy for the conduct that was the basis for the informal resolution.

If any party decides to leave the informal resolution process or the informal resolution officer determines the process is no longer appropriate, then the matter shall be referred to the Title IX Coordinator to determine the next steps under this policy.

## **Investigation**

If a complainant meets all of the requirements for a formal Title IX complaint, the Title IX Coordinator will assign it to an investigator, which may be the Title IX Coordinator. The investigator must not have a conflict of interest or bias.

### ***Notice of Investigation***

The investigator shall provide the respondent and complainant with a written notice of the investigation that includes:

- A written list of the allegations based on current information, including, if known, date and time of the incident, description of the conduct, and the specific sections of university policies or expectations allegedly violated;
- Contact information for the investigator;
- Parties' rights during the process, including:
  - Right to a fair and equitable process.
  - Right to have decision-makers that do not have a conflict of interest or bias against the parties.
  - Right to remain silent during the investigation.
  - Right to have an advisor of their choice, at their cost, during the investigation. The advisor may be, but is not required to be, an attorney or union representative. During the investigative process, the advisor may be present and advise the party but may not answer questions on the party's behalf.
  - Right to an advisor provided by the university for the purposes of conducting cross-examination if they do not have an advisor.
  - Right to be presumed not responsible and that a conclusion of responsibility is not made until the conclusion of the investigative process.
  - Right to request an accommodation or interpreter for the process.
- Notify both parties that complainants, respondents, and witnesses are prohibited from knowingly furnishing false information during the investigative and hearing process. A person will not be disciplined for making a false statement based solely on whether or not EWU determines a complaint under this policy is substantiated.
- EWU's prohibition on retaliation and how to report acts of retaliation;
- Information about how the parties will be provided an equal opportunity to access relevant information gathered during the investigation; and
- Information about supportive measures and resources available to both parties.

### ***Investigative Process***

The investigator has discretion in determining the formality, scope and process of the investigation. If additional allegations are discovered during the course of the investigation, the investigator shall issue an updated notice of investigation. Before scheduling an interview with a

complainant or respondent, the investigator must provide the party with written notice of the date, time, location, participants and purpose of all meetings with sufficient time for the party to prepare. The investigative process must include:

- Contacting the complainant to review the complaint, gather more information, and to identify relevant witnesses and relevant evidence (emails, social media posts, photos, etc.). If necessary, the investigator may contact the complainant on more than one occasion during the course of the investigation to obtain additional information and clarification.
- Contacting the respondent to review the complaint, gather more information, and to identify relevant witnesses and relevant evidence (e-mails, social media posts, photos, etc.) The respondent may choose to respond verbally, in writing, or not at all.
- Conducting interviews with witnesses who have knowledge of the alleged behavior and gathering relevant evidence.
- Parties and witnesses may be contacted one or numerous times as necessary to gather the relevant information.
- Parties may identify facts witnesses, expert witnesses, and other inculpatory and exculpatory evidence. If a party wishes to provide information from an expert witness, the party is responsible for any costs associated with the expert witness.
- The investigator must have the ability to question parties and witnesses to assess their credibility to the extent credibility is both in dispute and relevant. The investigator may ask questions during individual meetings with a party or witness.

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

After gathering the relevant evidence, the investigator must provide both parties and their advisors an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including evidence that the university may not intend to rely on. This includes inculpatory or exculpatory evidence regardless of whether it was gathered from a party or witness.

The investigator will inform the parties that they have ten calendar days to submit a written response to the evidence to the investigator. The investigator will consider the written responses before finalizing an investigative report.

The investigator must create an investigative report that fairly summarizes all relevant evidence. Information that is not relevant to the allegations does not need to be included in the report. The investigative report will not include conclusions as to whether or not the respondent engaged in sexual misconduct or interpersonal violence.

The investigator will provide a copy of the investigative report to both parties and their advisors for their review and written response. Any written response to the investigative report must be provided to the investigator within five calendar days of receipt of the investigative report.

The investigator will provide a copy of the investigative report, evidence directly related to the complaint, the parties' written responses to the investigative report to Human Resources and the Title IX Coordinator for purposes of convening a Hearing Board.

### ***Advisors***

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

### ***Limits on Evidence***

During both the investigation and hearing process, the university cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in their professional capacity that would be privileged under the law that were made and maintained in



connection with the provision of treatment to a party, unless the university obtains the party's voluntary, written consent to gather and disclose such information.

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

### **Hearing Process**

After the investigative process is complete, the Director of Labor Relations or designee shall convene a Hearing Board. The Hearing Board shall be comprised of three current EWU employees. One of the three members shall serve as the presiding officer.

Members of the Hearing Board must have completed training on issues relating to sexual misconduct and interpersonal violence, Title IX, and the Violence Against Women Reauthorization Act. Members must be free of conflict or bias and cannot include the investigator or Title IX Coordinator.

### ***Notice of Hearing***

The Director of Labor Relations is responsible for scheduling the hearing. The hearing must take place at least ten calendar days after the investigative report is completed and no more than thirty calendar days after completion of the report, absent extenuating circumstances. The Director of Labor Relations may coordinate scheduling with the parties but is not required to do so. After the date and time is established, the Director of Labor Relations shall send out a notice of hearing to both parties. The notice of hearing must include:

- Time, date and location of the hearing;
- Names of people who have been selected to serve on the board and the process for requesting alternative board members on the basis of a conflict of interest or bias;
- A written list of the allegations with sufficient details of the allegations based on current information, including, if known, date and time of the incident, description of the conduct and the specific sections of university policies or expectations allegedly violated;

- Information about how to request accommodations or an interpreter;
- Right to have an advisor or union representative present at the hearing and who they should contact if they need the university to provide them with an advisor;
- Overview of the purpose of the hearing, brief explanation of the hearing process, and limited on what types of evidence may be presented; and
- Explanation that if the party fails to appear at the hearing, the board will make its decision without consideration of their testimony or statements previously provided.

The Director of Labor Relations or designee shall provide their contact information to the parties and answer questions they might have about the hearing process. Members of the Hearing Board should not communicate with the parties prior to the hearing about matters under this policy. Parties should not communicate with the Hearing Board.

### ***Evidence***

The Hearing Board will be provided a copy of the investigative report prior to the hearing and the report will be admitted into evidence. At the hearing, the Hearing Board shall consider evidence presented by the complainant, respondent and the investigator. Evidence, including hearsay evidence, is admissible, if in the judgment of the presiding officer it is the kind of evidence on which reasonably prudent persons are accustomed to rely upon in the conduct of their affairs. Evidence may be excluded when necessary to comply with applicable state and/or federal laws.

All witnesses and parties must testify under oath or affirmation.

### ***Questioning***

Any member of the Hearing Board and advisors may ask questions of the investigator, witnesses or parties. The investigator may ask questions of the witnesses and parties. For cross-examination of parties, a complainant's advisor may ask questions of the respondent and a respondent's advisor may ask questions of the complainant. If a party does not have an advisor, the university will provide the party with an advisor aligned with that party for the purposes of conducting cross-examination as long as the party requests an advisor in writing from the Title IX Coordinator at least five calendar days in advance of the hearing.

### *Physical Evidence*

If a party has physical evidence they want the board to consider, such as videos, text messages, or social media posts, the party should provide the evidence at least 2 calendar days prior to the hearing to the Director of Labor Relations, who will make sure either paper or electronic copies of the physical evidence are available to both parties and the Hearing Board

The parties have the right to view all material presented during the course of the hearing, except a respondent's previous corrective/constructive or disciplinary history which shall be used solely for the purpose of determining the appropriate level of correct/constructive or disciplinary action.

### *Order of Hearing*

The hearing shall proceed in the following manner:

- The parties and the investigator may provide a brief opening statement to the board at the beginning of the proceeding. The statement may be made verbally or in writing. Advisors are not permitted to make opening statements. The presiding officer may place the parties or investigator under oath before receiving the opening statement. The investigator's opening statement shall include a summary of the steps taken during the investigation, evidence gathered, and the portions of the policy the respondent is alleged to have violated.
- After the investigator's opening statement, the board and parties' advisors may ask questions of the investigator. The investigator's report is automatically admitted into evidence.
- If there is a law enforcement investigation or report, a representative from the applicable law enforcement agency may provide a summary of the process followed, people interviewed, and evidence collected. The officer shall answer questions asked by the board and the advisors. The police report will be admitted into evidence.
- Witnesses may then be presented by the complainant and respondent. Parties are responsible for making sure their witnesses are available and present at the hearing. Hearings will not be rescheduled because a party's witness fails to attend.

- The complainant will then be provided with an opportunity to testify. The complainant may be asked questions by the board, investigator, complainant's advisor and the respondent's advisor.
- The respondent will then be provided with an opportunity to testify. The respondent may be asked questions by the board, investigator, complainant's advisor, and the respondent's advisor.
- The Hearing Board can also call any witnesses to testify.
- Closing statements are not permitted as the focus of the hearing is on gathering and evaluating evidence. After all witnesses and parties have testified, the hearing will be closed.

### ***Remote Appearance***

Upon request a witness or party may request the opportunity to appear remotely by contacting the Director of Labor Relations or designee at least three calendar days in advance of the hearing. The presiding officer may permit any person to appear by a method that allows the person to be seen and heard by the Hearing Board.

### ***Recording***

Hearings must be recorded by the university. Parties and witnesses are not permitted to record the hearing. Upon request, a recording of the hearing must be provided to parties for inspection and review.

### ***Closed to the Public***

The presiding officer shall issue a protective order closing the hearing to the public to protect the confidentiality of the parties and witnesses.

### **Hearing Board Decision**

The Hearing Board must make findings of facts and conclusions as to whether or not the respondent violated a university policy or engaged in misconduct based on a preponderance of the evidence. A preponderance means that it is more likely than not (50+%) that something did or did not occur.

Neither the complainant nor the respondent has the burden of proof. This means the respondent is presumed to be not responsible and does not have to provide they are not responsible. Rather, the university has the burden of collecting evidence to establish whether or not the respondent is responsible based on a preponderance of the evidence. This burden is fulfilled through the investigative process.

### ***Deliberations***

Following the testimony of all witnesses and the parties, the Hearing Board shall meet to objectively review all relevant evidence presented during the hearing or contained in the investigative report in a closed session. This meeting may take place on a subsequent date. After reviewing all of the evidence admitted, the Hearing Board must determine, based on a majority vote, whether or not the respondent violated a university policy or expectation based on a preponderance of the evidence.

The Hearing Board will make findings of fact only on allegations that fall within the scope of a formal Title IX complaint. The Hearing Board will determine whether or not the respondent violated the formal Title IX portions of EWU policy 402-01 and what discipline or corrective/constructive action to impose and remedies to award. Disciplinary decisions must be made in conformance with the applicable collective bargaining agreement, if any. The Hearing Board may review the respondent's previous disciplinary and performance history solely for purposes of determining the appropriate level of discipline. The Hearing Board will not make any determinations as to whether the other policies, collective bargaining agreements, or performance expectations have been violated.

For alleged violations of other policies, collective bargaining agreements, performance expectations, or general misconduct, including but not limited to violations of EWU policies 402-02, 901-03 and 402-01, the investigator will complete a separate investigative report in accordance with EWU's investigative guidelines following the hearing.

### ***Written Decision***

Within ten calendar days of the hearing, the Hearing Board must issue a written decision. The written decision must include findings of facts and conclusions as to whether or not EWU Policy 402-01 has been violated. More specifically, the written decision must include:

- Identification of the allegations;
- A description of the procedural steps taken from receipt of the formal complaint through the Hearing Board decision, including any notifications to the parties, interviews with the parties and witnesses, site visits, methods used to gather evidence and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding whether or not the substantiated facts constitute a violation of the form Title IX components of EWU Policy 402-01;
- Level of discipline or corrective/constructive actions imposed;
- A statement of, and rationale for, the result as to each allegation, including determinations regarding responsibility and corrective/constructive or disciplinary actions;
- Whether the university will provide the complainant with any remedies designed to restore or preserve equal access to EWU's programs or activities; and
- The bases on which the decision may be appealed and how to follow and appeal.

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

### ***Discipline or Corrective/Constructive Action***

The Hearing Board may issue appropriate disciplinary or corrective/constructive action in accordance with the applicable collective bargaining agreement or university policy. This may include, but is not limited to, corrective/constructive action or discipline, including letters of expectation letters of coaching and counseling, performance improvement plans, verbal or



written reprimand/warning, temporary suspension, demotion, reassignment, mandatory training and/or termination.

### ***Remedies***

In addition to imposing corrective/constructive action or discipline upon a respondent who is found responsible for sexual misconduct or interpersonal violence, the Hearing Board must also consider whether any remedies are needed. A remedy is designed to restore or preserve the complainant's equal access to the university's education programs and activities. This may include long-term supportive measures, except a remedy may be disciplinary and burden a respondent. For example, one possible remedy is to permanently prohibit the respondent from contacting the complainant or restricting the respondent's ability to participate in a particular activity.

### ***Personnel File***

Any substantiated findings of sexual misconduct must be included in the respondent's personnel file. Personally identifiable information that reveals the identity of the complainant and any witnesses is exempt from public disclosure. The university will disclose substantiated findings of sexual misconduct to any employer conducting reference background checks on a current or former employee for the purposes of potential employment, even if the employer conducting the reference or background check does not specifically ask for such information.

### **Appeal Process**

The complainant or respondent may appeal the Hearing Board's decision by filing a written appeal within ten calendar days of service of the Hearing Board's decision. The decision is served when it is emailed to the parties at their official university email address. To file an appeal, the complainant or respondent must email the Director of Labor Relations. The appeal must set forth why the person believes the Hearing Board's decision was incorrect, how it fits within the basis for appeal (below) and the relief requested.

### ***Basis for Appeal***

A complainant or respondent may file an appeal from the decision to dismiss a Title IX complaint and/or from the Hearing Board's decision on the following bases:

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

### ***Response to Appeal***

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

### ***Appellate Authority***

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

### ***Decision on Appeal***

The appellate authority shall review all of the evidence presented and admitted during the hearing, including a review of either the audio recording or transcript of the testimony and the documentary evidence. The appellate authority shall also review the appeal and the response from the responding part, if any. If issues are raised during the appeal regarding the procedures

followed and such information was not contained in the hearing record, the appellate authority may ask the parties, the investigator, the presiding officer, or the Title IX Coordinator for additional information, but is not required to do so. If additional evidence is requested and obtained, a copy should be provided to both parties. With respect to findings of fact, the appellate authority must give due regard to the Hearing Board's opportunity to observe the witnesses.

The appellate authority may affirm, reverse or modify the Hearing Board's decision based on the grounds for appeal. The appellate authority may also remand the case back to the Hearing Board to take additional evidence or for a new hearing before a new board. The appellate authority must issue a written decision describing the result of the appeal and the rationale of the result. A copy of the decision must be simultaneously provided to the respondent, complainant, respondent's supervisor, and the Title IX Coordinator. The appeal decision must be issued within thirty calendar days of receipt of the responding party's response to the notice of appeal.

The appellate authority's decision is the final decision of the university. Judicial review of such decision may be available under RCW 34.05. The decision is not subject to grievance or arbitration under a collective bargaining agreement.

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

- 1) Find a safe environment away from the assailant.
- 2) Call a close friend or relative (someone who will offer unconditional support).
- 3) Seek medical care. If possible, do not change clothes, bathe, douche or brush your teeth until evidence is collected, but if you have, it is still important to be evaluated. A complete medical evaluation includes evidence collection, a physical exam, treatment and/or counseling. You do not have to do any part of the evaluation that you do not want to do. You should seek medical care even if some time has elapsed since the event or there is no evidence for collection. The following hospitals are closest to the university and have experience in performing sexual assault exams:

- Sacred Heart Medical Center, 101 W 8<sup>th</sup> Ave, Spokane, 509.474.3131
- MultiCare Deaconess Hospital, 800 W 5<sup>th</sup> Ave, Spokane, 509.473.5800
- Providence Holy Family Hospital, 5633 N Lidgerwood St, Spokane, 509.482.2460

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

- 4) Write down details. Try to write down, or have a friend write down, everything you can remember about the incident including a physical description of the perpetrator.
- 5) Consider reporting the incident to university officials (EWU's Title IX Team and/or EWU Police Department). A victim has the option to decline reporting to law enforcement; and
- 6) Utilize support, advocacy and resources. You are encouraged to contact the Student Accommodations and Support Services (SASS) Team at 509.359.7924 in 015 Hargreaves Hall to learn more about your reporting options (confidential v. private). Throughout this process, a SASS Team member will support you by providing a private place to discuss your situation. An advocate can also assist you in reporting to the police, exploring and arranging for counseling, academic assistance, safety planning and changes in living situations.

## Victim Services on Campus

- **Counseling and Wellness Services (CWS)**, located in 225 Martin Hall; 509.359.2366 - offers short-term counseling services. Services are available at the Cheney campus and the Spokane Catalyst Building in person or via telehealth (Zoom). Crisis Walk-Ins are currently offered Monday – Friday afternoons. Schedule may vary over breaks. [C]
- **Dean of Students Office** – 301 Pence Union Building; 509.359.7924 – can provide support and referrals, and explain students' rights and options. The university will modify students' academic schedules or living situations on campus after an alleged sex offense, domestic violence, dating violence or stalking if those changes are requested by the student, and are reasonably available. The Student Accommodations & Support Services Team (015 Hargreaves Hall) can contact resources on the student's behalf and assist with requests for modifications.
- **Title IX Coordinator & VP for People & Culture** – 117 Showalter Hall, 509.359.7350 – Coordinates EWU's Title IX compliance efforts and provides training to the campus community.
- **EWU Police Department** – 101 Red Barn; Business office 509.359.6498, or immediate police assistance 509.359.7676; can provide information regarding laws and victim rights, as well as self-defense classes.
- **Human Resources** – 314 Showalter Hall, 509.359.2381.
- **Student Rights and Responsibilities** – 125 Showalter Hall, 509.359.6960 – Facilitates opportunities and processes for individual and community responsibility that support the maintenance of the Student Conduct Code to foster a community of care and cultivate student growth and integrity.
- **Washington State Employee Assistance Program (EAP)** – Confidential counselors, financial consultation and legal consultation for Washington State employees: 509.482.3686. [C]

## Victim Services Off Campus

- 24/7 Regional Crisis Line (Frontier Behavioral Health) provides services for and on behalf of individuals whose health or safety is in danger because of a mental health or substance use condition: 1.877.266.1818. [C]
- Lutheran Community Services (LCS) Northwest provides wide-ranging, confidential services and a 24/7 Sexual Assault Crisis Line through its SAFeT Resource Center: 509.624.7273, and they are on campus as needed. They also provide services for children and families. [C]
- Kalispel Tribe Victim Assistance Services has partnered with EWU to offer free, confidential support services to victim of all types of crimes. Please contact them at 509.789-7671. 24/7 Help Line 877.700.7175. [C]
- National Domestic Violence Hotline – advocates available to talk with anyone experiencing domestic violence, seeking resources or information or questioning unhealthy aspects of their relationship. 1.800.799.7233 [C]
- RAINN (National Sexual Assault Hotline), a national resource for survivors: 1.800.656.HOPE (4673) or chat online: <https://hotline.rainn.org/online> [C]
- YWCA Alternatives to Domestic Violence – 24/7 hotline: 509.326.2255, [help@YWCASpokane.org](mailto:help@YWCASpokane.org), Text: 509.220.3725.

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

EWU Policy 403-05 (Employee Leave Related to Domestic Violence, Sexual Assault & Stalking), provides reasonable leave from work, intermittent leave, or leave on a reduced schedule so an employee who is a victim or has a family member who is a victim of domestic violence, sexual assault or stalking can:

1. Seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or employee's family members;



2. Seek treatment by a health care provider for physical or mental injuries caused by domestic violence;
3. Obtain, or assist a family member in obtaining, services from a domestic violence shelter, rape crisis center, or other social services program for relief from domestic violence, sexual assault or stalking;
4. Obtain, or assist a family member in obtaining, mental health counseling related to domestic violence, sexual assault or stalking; and
5. Participate in safety planning, temporarily or permanently relocate, or take other actions to increase the safety of the employee or employee's family members from future domestic violence, sexual assault or stalking.



## Statement of Prevention and Awareness Education

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

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

Our primary and ongoing sexual assault prevention programs include the following:

- *Get Inclusive* is an online 40-60 minute training that all incoming students are asked to take. Eastern Washington University believes that the health and wellbeing of our students is an important aspect of getting through college successfully. One way in which our university commits to this is by providing students with training around identities and inclusion, consent and sexual violence, alcohol and other drugs, and hazing and intimidation. We want each student to have information and resources around these topics for themselves or a friend. We recognize that each member of our

community plays a key role in keeping our campus communities safe and vibrant places to work, study, live and play. *Get Inclusive* online discrimination and harassment training is also offered to employees

- *Sex Rules* is an interactive, highly engaging program that we offer to new students each year during Welcome Week. This program addresses sexual assault education, bystander intervention, and interpersonal communication about sex, consent, and healthy relationships.
- *Sexual Assault Action Week* is held in April and offers a variety of educational and awareness events around topics related to sexual assault prevention and resources. This year, activities included: Weekly Health Huts focused on a specific aspect of sexual assault prevention, partnership with Dulce v Chisme and Mujeres in Action and JLRMC for T-shirt making and workshop on resources and prevalence in Latinx community, and a resource presentation and activity with Planned Parenthood and Gender, Women's and Sexuality Studies Department.
- Sexual Violence and the LGBTQIA+ Community with the Pride Center - presentation on prevalence and resources available with crafts and free time.
- *EWU Title IX & Nondiscrimination Training* provides information to employees to help them understand their roles and responsibilities under Title IX, including an introduction to Title IX, what a responsible employee is, what information must be shared with the Title IX Coordinator, and how to respond to and report crimes of sexual assault, domestic violence, relationship violence and stalking. It also includes training about nondiscrimination and harassment.
- The Title IX Coordinator provides in-person training on the definitions of sexual assault, domestic violence, dating violence, stalking and sexual harassment. This training covers reporting options, resources, supportive measures, rights, and process, and bystander intervention. The training is offered to employees that prefer in-person training to the on-line option. All student athletes and members of the Greek Life community are required to go through this training annually.

In addition to the above, year-round educational programming is conducted through Counseling and Wellness Services, and Housing and Residential Life, on alcohol education, hazing



prevention education, and sexual assault prevention. This is conducted through our Health Hut, small group presentations and classroom presentations.

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



## Risk Reduction

### *Reducing Risk of Non-Consensual Acts*

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual assault are responsible for those actions, these suggestions may nevertheless help you to reduce your risk experiencing a non-consensual sexual act:

- If you have limits, make them known as early as possible.
- Tell a sexual aggressor “NO” clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are questioning a decision. Respect them when they do.

### *Reducing Risk of Committing Non-Consensual Acts*

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual assault:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- Don't make assumptions about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity, then you do not have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.

- Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted in social situations.

### ***In a Social Situation***

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.

- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately.
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.



# Sex Offender Notification

The Eastern Washington University Police Department considers the protection of our community from sex offenders of significant importance. The objective of the 1990 Community Protection Act was to provide adequate notice to the community concerning sex offenders who are, or will be attending, working or residing on the campus, and to assist our community members in developing constructive plans to prepare themselves and their children for residing near released sex offenders.

The Eastern Washington University Police Department maintains records of sex offenders who have been brought to the attention of the EWUPD by the Spokane County Sheriff's Office. Additionally, the Spokane County Sheriff's Office maintains an online registry of Level 2 and 3 sex offenders who are registered to live in Spokane County. Sex offenders may be searched in this registry by ZIP code or by an offender's name.

Information that is relevant and necessary to protect the public and to counteract the danger created by a particular offender is released pursuant to RCW 4.24.550. The extent and content of the disclosure of relevant and necessary information shall be related to:

1. The offender's risk classification;
2. The risk posed by the offender to the community;
3. The location where the offender resides, intends to reside, is regularly found, or is employed; and,
4. The needs of affected community members for information that is necessary to protect their interests and safety.

Notification will generally follow this guideline:

1. Level 1: Notification will be provided to the faculty for each class in which the student registers, or may be disclosed upon request to a community member who resides near an offender.
2. Level 2: In addition to the Level 1 Sex Offender requirements above, EWUPD will place notifications of Level 2 Sex Offenders in the registered sex offender binders that are

located at the Dean of Students office, Title IX office and the EWU Police Department (Red Barn). Electronic notifications will also be provided to any facility where children are educated or cared for, including Running Start. Notification may also be provided through other means as deemed necessary.

3. Level 3: Level 3 offender information is available to the public and strategically located in several locations through the campus, including the University Police Department (Red Barn), Title IX Coordinator's Office, Dean of Students Office and the EWU Child Care Center. Names of known Level 3 sex offenders who participate in programs or activities on an EWU campus or attend online classes will be posted on the EWU Police Department website with links to the Spokane County sex offender database website.

For more information regarding registered sex offender notification at Eastern Washington University, either visit the Red Barn during university business hours or see the website at:

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

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

# Alcohol and Drug Policies

## University and Community

The university is committed to promoting the health and safety of the campus community by offering programs of alcohol education and enforcing relevant policies. While activities covered by the laws of the community and those covered by the university's rules may overlap, the community's laws and the university's rules operate independently and do not substitute for each other. The university may pursue enforcement of its own rules whether legal proceedings are under way or being considered, and may use information from third-party sources, such as law enforcement agencies and courts, to determine whether university rules have been broken. The university does not shield members of the university community from the law. Membership in the university community does not exempt anyone from local, state or federal laws, but rather imposes the additional obligation to abide by all of the university's regulations.

## Alcohol Policies

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

EWU prohibits the unlawful possession, use, consumption or distribution of alcohol by students, employees or visitors on university property or during any university-sponsored program or activity, whether held on or off campus. Any authorized use of alcohol must comply with state and federal laws, and all university policies, rules and regulations. Specifically,

possession or consumption of alcohol by persons under the age of 21, and selling or furnishing alcoholic beverages to persons under the age of 21 is not permitted on campus. University alcohol policies and guidelines must be met before any alcohol-related event may be permitted. No kegs or “keg-quantities” of alcohol are allowed in the residence halls. Minor in possession of alcohol is a misdemeanor offense; if convicted, it may have a negative effect on educational and job requirements or opportunities. Further information about the alcohol policy at EWU is contained in WAC 172-64, as well as EWU Policy 602-01 (Drug and Alcohol Abuse Prevention). University rules and policies are available at <https://inside.ewu.edu/policies/>. The state’s criminal law regarding alcohol is RCW 66.44.270.

## Drug Policies

### *Drug-Free Zone*

EWU Policy 602-01 establishes standards and regulation for the prevention of drug and alcohol abuse as prescribed by the Drug-Free Schools and Communities Act and the Drug-Free Workplace Act of 1988. Eastern Washington University is a Drug-Free Zone. It is prohibited, while on any university owned or controlled property, including within residence halls, while conducting university business or during any university-sponsored activity, for any person to use, possess, distribute, manufacture, sell or to be under the influence of a controlled substance. The use of prescription and over the counter drugs is permitted when taken as prescribed or as directed by package instructions as long as the medications do not adversely affect the ability, performance, or safety of the consumer or others. Please note: Marijuana remains illegal under federal laws, and policies regarding marijuana at EWU remain unchanged. It is illegal to possess, produce, distribute or use marijuana on EWU property or during school-sanctioned events.

EWU will also impose disciplinary sanctions on students and employees, up to and including expulsion or termination of employment and referral for prosecution, for violations of these policies. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

The following is a partial list of illicit drugs considered to be controlled substances by the State of Washington (RCW 69.50): Narcotics (opium, cocaine and heroin); methamphetamine;

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barbiturates; and hallucinogenic substances (LSD, peyote, mescaline, psilocybin, PCP, THC, MDA, STP).

#### Partial list of Washington State Drug Offenses/Penalties

Manufacture, deliver or sell less than 2 kg of a Schedule I or Schedule II Narcotic	Less than 2 kg	Prison: Up to 10 years Fine: Up to \$25,000
Manufacture, deliver or sell 2 kg or more of a Schedule I or Schedule II Narcotic	2 kg or more	Prison: Up to 10 years Fine: Up to \$100,000 for the first 2 kg, and \$50 for each additional gram
Manufacture, deliver, or sell any other controlled substance classified in Schedule I, II, III, IV or V	Any	Prison: Up to 5 years Fine: Up to \$10,000
Possession of a controlled substance	Any	Prison: Up to 6 months, Fine: Up to \$1,000 (first two convictions)

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

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

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

The university encourages employees and students to voluntarily seek appropriate assistance if they are dependent on alcohol or drugs.

## Alcohol and Drug Education Programs

Counseling and Wellness Services (CWS) at Eastern Washington University typically offers a variety of alcohol and drug abuse prevention and awareness programs to students. Presentations and outreach are provided by both professional staff and peer health educators. Alcohol and drug misuse prevention opportunities include presentations for campus groups, on-line education modules, and information through outreach services. More information is available at <https://inside.ewu.edu/bewell/>.

Alcohol education programs offered by CWS include:

- Online course with robust ATOD content offered to all new first year students.
- Targeted alcohol education presentations to new students during Fall quarter through Sorority and Fraternity Life, and classes for all first-year student-athletes.
- Students who either take responsibility for, or are found responsible for alcohol or cannabis use are given the following sanctions:
  - Complete the **eCheckup Personal Assessment**. This is an online demographic program that is designed to give students feedback about their individual drinking or cannabis patterns, risk patterns, and aspirations and goals.
  - In-Person or online **Alcohol or Cannabis Education Course**. The in-person BASICS course is a one-hour course offered on campus by the Counseling & Wellness Services. The online class is through the Get Inclusive program and consists of videos and situations regarding alcohol and drug consumption. The online class is offered during breaks or times when class is not in session.
  - **Reflection Form**. This is a short six question Google form that asks you to reflect on the information learned during the #2 BASICS Education Course.
- “Pot Party” Consent and Substance use education in the Recovery Lounge.
- Opioid Prevention overdose training: The Opioid Prevention and Recovery specialist offered ongoing training on overdose prevention, which included free naloxone for participants.
- Eagles for Recovery: a new student community focused on supporting those who are in recovery, curious about recovery, or recovery ally. This year the university was able to



hire an Opioid Prevention and Recovery Center Coordinator to staff the lounge and lead programming and education.

EWUPD offers alcohol and drug awareness presentations to students and student groups upon request. Additional information about programs offered is available in the university's biennial alcohol and drug report.



# Firearms and Weapons Policies

Weapons, including concealed weapons, are not allowed on campus per [WAC 172-122-120](#).

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

- Commissioned law enforcement officers may carry weapons, which have been issued by their respective law enforcement agencies, while on campus or other university-controlled property, including residence halls. Law enforcement officers must notify the EWUPD of their presence on campus upon arrival.
- A person may possess a personal protection spray device as authorized by RCW 9A.160 while on property owned or controlled by EWU.
- A person may bring a weapon onto campus for display or demonstration purposes directly related to a class or other educational activity if they obtain prior authorization from the university police department.
- Weapons that are owned by the institution for use in organized recreational activities or by special groups, such as EWU ROTC or university sponsored clubs or teams, must be stored in a location approved by the university police department. These weapons must be checked out by the advisor or coach and are to be used only in organized recreational activities or by legitimate members of the club or team in the normal course of the club or team's related activity.

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

# Hazing Prevention

The Stop Campus Hazing Act ([S.2901](#), [H.R.5646](#)) passed into law on December 23, 2024. The Stop Campus Hazing Act is a crucial step towards eradicating hazing on college campuses and ensuring the safety and well-being of students. This bipartisan, evidence-informed legislation is supported by national campus safety experts, national fraternity and sorority trade associations, and the parents of hazing victims. The Stop Campus Hazing Act will:

- Improve hazing reporting by requiring colleges to include hazing in incidents in their annual security reports;
- Prevent hazing by establishing campus-wide, research-based hazing education and prevention programs; and
- Help students and their parents make informed decisions about joining organizations on campus by requiring colleges to publish on their websites the institution's hazing prevention policies and the organizations that have violated them.

EWU is committed to fostering a campus culture where students, faculty and staff feel safe and are able to actively engage in opportunities on and off campus. As a result of this mission, there is no place for hazing at EWU, and it is prohibited according to the EWU Student Conduct Code and Washington State Hazing Law. All members of the university community, including recognized student organizations and athletic teams, are responsible for complying with the Hazing Prevention Policy (EWU Policy 901-06) and the Sam's Law Act, RCW 28B.10.900-905. In addition to this policy, the Student Conduct Code, WAC 172-121, also prohibits hazing. A violation of this prohibition renders both the organization and participating individuals subject to discipline. Any student who is aware of or in the presence of hazing is also subject to discipline.

## Clery Definitions

**Hazing:** Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons), against another person or persons regardless of the willingness of such other person or persons to participate, that:

- is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including:
  - whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body or similar activity;
  - causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
  - causing, coercing or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
  - causing, coercing, or otherwise inducing another person to perform sexual acts;
  - any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
  - any activity against another person that includes a criminal violation of local, State, Tribal or Federal law; and
  - any activity that induces, causes or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal or Federal law.

*[In Washington State, hazing includes any act committed as part of a person's recruitment, initiation, pledging, admission into, or affiliation with a 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 or other person attending a public or private institution of higher education or other postsecondary educational institution in this state, 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. RCW 28B.10.900]*

**Student Organization:** an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletics team, club sports team, fraternity, sorority, band or students government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

## Policy

Student, student organizations, employees, volunteers and program participants are prohibited from engaging in or conspiring to engage in hazing. This prohibition applied to conduct both on and off campus. Student organizations, associations, athletic teams and living groups are also prohibited from knowingly permitting hazing to be conducted either by their members or by other persons subject to their direction and control.

A person who is found responsible for participating in hazing forfeits entitlement to state-funded grants, scholarships or awards for a period of time as determined by the university. Additionally, any organization, association, athletic team or student living group that knowingly permits hazing to be conducted by its members or by others subject to its direction or control will have its university recognition revoked.

If, as a result of observations or information received in the course of employment or volunteer service, a university employee or volunteer has reasonable cause to believe hazing has occurred, the employee/volunteer is required to report the incident at the first opportunity to do so to Student Rights and Responsibilities, 125 Showalter Hall, Cheney, WA 99004, 509-359-6960, [srr@ewu.edu](mailto:srr@ewu.edu). Hazing can also be reported via an online reporting form: <https://cm.maxient.com/reportingform.php?EasternWashingtonUniv>.

Reasonable cause means a person who witnesses hazing or receives a credit written or oral report alleging hazing or potential or planned hazing activity. Licensed psychological counselors in Counseling & Wellness Services are not considered mandatory reporters. Hazing may also be reported to law enforcement. All sororities and fraternities must notify the university if they initiate an investigation into hazing.

## Additional On-Campus Resources

<a href="#">Counseling and Wellness Services</a>	509.359.2366	<a href="mailto:cws@ewu.edu">cws@ewu.edu</a>
<a href="#">EWU Sorority and Fraternity Office</a>	509.359.6718	<a href="mailto:sfl@ewu.edu">sfl@ewu.edu</a>
<a href="#">Dean of Students Office</a>	509.359.7852	<a href="mailto:dos@ewu.edu">dos@ewu.edu</a>
<a href="#">Student Accommodations &amp; Support Services</a>	509.359.6871	<a href="mailto:sass@ewu.edu">sass@ewu.edu</a>

## Hazing Prevention Efforts

Under the direction of the Vice President for Student Affairs, the university will maintain a hazing prevention committee to promote hazing prevention. The university will provide training to new students during orientation on the dangers of hazing and this policy. Student training will be posted on EWU's website. New employees are also required to participate in hazing awareness and reporting training. Student Rights and Responsibilities will publish an annual report of hazing investigations on its website.

Healthy Traditions workshop was introduced and presented to Sorority and Fraternity Life and Club Sports programs. This initiative has allowed Counseling & Wellness Services to work with students from across campus to develop an understanding of the impact of hazing behaviors on the campus community. The program focuses efforts on healthy traditions that facilitate group cohesion and commitment to a lasting legacy without damaging student physical or psychological health. Workshops are held in-person at the request of student organizations. Members discuss values, goals and ideas for building a stronger organization during the training and receive feedback and information from the facilitator. The workshop and outreach will continue to expand to reach across the campus community in the upcoming academic year.

Partner events include the following:

- Counseling & Wellness Services partnered with Eagle Entertainment to host a Jeopardy game night where students learned about warning signs of hazing behaviors.



- Hazing in the Workplace seminar was hosted to educate students, staff and faculty about what hazing behaviors look like in the work environment and the potential impact and consequences of it.

## **Bystander Intervention to Prevent or Stop Hazing**

A bystander is a person who is present when an event takes place but isn't directly involved.

Bystander Intervention is recognizing a potentially harmful situation or interaction and choosing to respond in a way that could positively influence the outcome. Stepping in may give the person you're concerned about a chance to get to a safe place or leave the situation.

Five steps to an effective bystander intervention:

1. Identify the behavior that is happening
2. Interpret behavior as a problematic
3. Recognize responsibility
4. Acquire skills so that you can respond appropriately
5. Take action (direct, distract, delegate, discuss)

Research shows that if people are less likely to help when they are in a group because of the diffusion of responsibility; you think someone else will do something. EWU students have both personal and community responsibilities. This means not only taking care of yourself, but also taking care of others. You are part of a larger community. If not you, then who?

# Emergency Response and Evacuation Procedures

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

The university conducts at least one emergency response exercise each year, such as tabletop exercises, field exercises, and tests of the emergency notification system. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. Training exercise details are sent to the campus community, along with information on the university's emergency response and evacuation procedures. EWUPD maintains documentation of each emergency response exercise, including the date, time, description of the exercise, and whether the exercise was announced or unannounced. EWUPD officers are trained in Incident Command and Responding to Critical Incidents on campus, and the Incident Command System (ICS) and Unified Command System (UCS) are utilized when responding to incidents. EWUPD works with partner agencies including Cheney PD, Spokane County Sheriff's Office, Washington State Patrol, FBI, and Cheney Fire Department.

## Notification to EWU Community about an Immediate Threat

The 'EWU Alerts' Campus Emergency Mass Notification System is a service provided by EWU to employees, students and other campus community members as a method of communicating information about an immediate threat. Anyone may subscribe to the service through the EWU Alerts web page at <https://www.ewu.edu/stories/ewu-moving-to-new-emergency-mass-notification-system/>.

The President, AVP for Public Safety or designee will decide whether a situation is an emergency and poses an immediate threat to the health or safety of the EWU community. Examples of a

significant emergency include, but are not limited to, an approaching wildfire, fire in a building, an outbreak of a serious contagious illness, extreme weather conditions, earthquake, gas leak, terrorist incident, armed intruder, bomb threat, rioting, explosion, or hazardous waste spill. If a significant emergency exists, the AVP for Public Safety (or designee) will send an emergency notification via numerous media applications, without delay, and considering the safety of the community. If EWU Police Department personnel are not available to initiate an alert, another authorized EWU official may activate the system.



The AVP for Public Safety (or designee) will create and disseminate the emergency message using available information on a case-by-case basis. Notifications may be sent through any or all of the following options: banners on <https://www.ewu.edu> and <https://inside.ewu.edu> webpages; text (SMS) messages; digital signs; email; fire alarms; Facebook, “X” or other social media; outdoor warning speakers; vehicle public address speakers; voicemails on campus telephone numbers; voice messages to cell phones; EagleSafe App; or other appropriate methods. Updates will be posted on the above-mentioned media outlets to ensure current information is provided to the community. When the emergency is no longer a threat to the health and safety of the EWU community, the AVP for Public Safety will notify the community utilizing the various media outlets listed above. Because many of our students, faculty and staff commute between our campuses, all segments of our campus community will be notified when any significant emergency threatens the operation of the campus or poses an immediate threat to health or safety.

## Evacuation

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

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

- Stay to the right and hold handrails when walking on stairs. Make way for emergency personnel.
3. Once out of the building, move away from the structure and go to the appropriate assembly area.
  4. Wait for further instructions. Do not re-enter the building until cleared to do so by emergency personnel.

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

Warning and evacuation instructions will be communicated to the campus population via any or all of the following: banners on <https://www.ewu.edu> and <https://inside.ewu.edu> webpages; text (SMS) messages; digital signs; email; fire alarms; Facebook, “X” or other social media; outdoor warning speakers; vehicle public address speakers; voicemails on campus telephone numbers; voice messages to cell phones; EagleSafe App; or other appropriate methods. Information may include the nature of the threat, time allotted for the requested action, instructions to shelter in place and await further direction, instructions to move to a designated assembly area, leave the campus in personal transportation and take someone with you, or assemble at a public transportation pickup point.

# Annual Fire Safety Report/Fire Statistics

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

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

## Fires in Student Housing Facilities on Campus

For Clery purposes, a fire is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. In 2022, there was one fire reported in on campus student housing. The fire occurred on December 22, 2022, in Streeter Hall, and was an electrical fire that started in a building heater. Fire burned through the plastic on the wire and was already out by the time Cheney Fire Department found the source. Property damage due to the fire was valued at \$0 - \$99 and there were no injuries or deaths. In 2023, there was one fire reported in the Townhouse Apartments. The fire occurred on

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November 6, 2023, and was a cooking fire caused by a student heating oil in a pan on the stove. Property damage due to the fire was valued at \$100 - \$999, and there were no injuries or deaths. In 2024, there was one fire reported in snyamncut Hall, which occurred on 11/14/2024. This was a cooking fire caused by a pan of oil catching fire on a stove top. Property damage was valued at \$0 - \$99, and there were no injuries or deaths.

## FIRES IN STUDENT HOUSING FACILITIES ON CAMPUS

On-Campus Housing Facility	Street Address	2022	2023	2024
Anna Maria Apartments	922 Washington St	0	0	0
Dressler Hall	1128 Elm St	0	0	0
Dryden Hall	106 N 9 <sup>th</sup> St	0	0	0
Louise Anderson Hall	905 Elm St	0	0	0
Morrison Hall	218 N 10 <sup>th</sup> St	0	0	0
Pearce Hall	1112 Elm St	0	0	0
snyamncut Hall	1027 Cedar St	0	0	1
Streeter Hall	202 N 10 <sup>th</sup> St	1	0	0
Townhouse Apartments	620 W 7 <sup>th</sup> St	0	1	0

## Fire Drills in Residence Halls

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

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

- Do not re-enter the building until you are directed to do so by a public safety official or staff member.

Fire alarms and drills are taken seriously, and everyone is required to leave the building during an alarm. Students that do not leave the building during a fire alarm may receive a citation resulting in a fee from the fire department.

In Fall of 2022, 2023 and 2024, pre-planned fire drills were conducted by efforts from Cheney Fire Department, Housing and Residential Life, Environmental Health and Safety, and the university Emergency Manager. In 2022, students occupied five residence halls: Pearce, Streeter, Anderson, snyamncut and Dryden (briefly). In 2023 and 2024, students occupied Pearce, Streeter, Anderson and snyamncut.

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

On-Campus Housing Facility	Street Address	2022	2023	2024
Anna Maria Apartments	922 Washington St	0	0	0
Dressler Hall	1128 Elm St	0	0	0
Dryden Hall	106 N 9 <sup>th</sup> St	0	0	0
Louise Anderson Hall	905 Elm St	1	0	2
Morrison Hall	218 N 10 <sup>th</sup> St	0	0	0
Pearce Hall	1112 Elm St	1	0	2
snyamncut Hall	1027 Cedar St	1	0	2
Streeter Hall	202 N 10 <sup>th</sup> St	1	0	2
Townhouse Apartments	620 W 7 <sup>th</sup> St	0	0	0

## Fire Policies

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

### *Fire Equipment and Hazards*

Fire extinguishers are strategically located throughout each residence hall and outside entrances to apartments. Carefully follow the instructions on the extinguisher and use them only in the event of a fire.

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

Do not leave stoves unattended while cooking. Remember to turn off the stove and unplug irons before leaving the kitchen and laundry rooms. University policy prohibits the use of candles, incense, simmering potpourri, solid fuel devices, kerosene lamps, open burning elements (tabletop stoves), and other open flame devices. Decorative candles and lamps that reach very high temperatures and can ignite nearby combustible materials are also not allowed. Students are welcome to BBQ in common areas outside the buildings. At the Anna Maria complex, they may be stored on balconies but may only be used in the central common area due to potential fire hazard. At the Townhouses, BBQs must stay on your personal patio.

### ***Smoking***

Smoking, including e-cigarettes/vaping, is not allowed inside any building, including and not limited to the balconies, hallways, bathrooms, stairwells and other areas defined by staff. In addition, in accordance with university policy and state law, individuals must be at least 25 feet from the building when smoking. Designated smoking areas have been assigned for each building. Alarms set off by smoking or vaping may result in fines or criminal charges.

### ***Hoverboards/Self-Balancing Scooters***

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

## General Procedures in the Case of a Fire

If you observe fire or smoke:

- Determine the location of the fire and what may be burning.
- Call 911. Provide your name and the location of the fire. If in a safe location, stay on the line with the dispatcher until told you may hang up.
- If you hear the evacuation alarm, proceed to the appropriate assembly area.
- If the fire is small, you may attempt to put it out with a fire extinguisher if you have been properly trained. Do not jeopardize your personal safety. All fires, no matter how small, must be reported to the EWU Police at 509.359-7676.
- Evacuate your area if you are unable to put out the fire. Close doors behind you to confine the fire. Proceed to the appropriate assembly area.
- Know alternate exits from your hall area. Never allow the fire to come between you and the exit.
- Before opening a door, use the back of your hand to feel the top of the door, the doorknob, and the crack between the door and doorframe. If it feels hot, use your secondary escape route. Even if the door feels cool, open it carefully. If the door is hot or if smoke is visible, do not open the door. If you have to move through a burning or smoke-filled area, stay low to the ground or crawl. Use a damp cloth to breathe through if it is available.
- Do not break a window unless it is the ONLY means of escape. Oxygen feeds a fire.
- If you are in a room and cannot escape, leave the door closed, stay low to the floor and hang a white or light-colored cloth in an outside window.
- Do not use elevators.
- Do not attempt to save possessions at the risk of personal injury.
- Do not return to the area until instructed to do so by a Public Safety official.

Persons who cannot evacuate by stairway should move to areas of refuge if available. If these are not available, persons in wheelchairs should shelter in place unless the danger is imminent.

Shelter in place means remaining in a room with an exterior window, a telephone, and a solid or fire-resistant door; call 911 and report the location.

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

### **Reporting Fires**

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

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

Eastern Washington University promotes fire safety in a variety of ways, including both formal training sessions and through dissemination of fire safety information to students and employees. This information includes fire safety awareness handouts, posters, displays, videos, and other media. The Vice President for Business and Strategy also coordinates additional fire safety awareness sessions as needed and provides special training sessions upon request.

### **Fire Safety Systems**

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

## Fire Safety Systems

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





# Additional Resources and Phone Numbers

## Notes and Additional Recommended Resources

- [Residential Living Guide](#)
- Residential Life, 104 Snyamncut Hall – 1027 Cedar Street, 509.359.2451.
- Counseling and Wellness Services web page: <https://inside.ewu.edu/bewell/>
- The Handbook for Campus Crime Reporting:  
<http://www2.ed.gov/admins/lead/safety/handbook.pdf>
- Employee Assistant Program (EAP) for EWU staff that needs assistance with personal or work-related problems (org code EWU):  
[https://www.advantageengagement.com/1669/login\\_company.php](https://www.advantageengagement.com/1669/login_company.php) or contact Human Resources at 509.359.2381.
- EWU Title IX Information, Resources & Services: <https://inside.ewu.edu/titleix/>

Emergency	911
EWU Police Services (non-emergency) .....	509.359-7676
EWU Police Business Office/Lost and Found/Fingerprints.....	509.359.6498
EWU Anonymous Tip Line.....	509.359.4286
Cheney Police Department (Cheney off-campus, police services) .....	509.535.9233
Spokane Crime Check.....	509.456.2233
YWCA DV 24-hour hotline .....	509.326.2255
LCS Northwest Sexual Assault Crisis Line (24/7) .....	509.624.7273
Regional Crisis Line (24/7) – Frontier Behavioral Helpline.....	877.266.1818
EWU Dean of Students Offic.....	509.359.7924
EWU Counseling & Wellness Services .....	509.359.2366
EWU Title IX Coordinator .....	509.359.7350
EWU Title IX Coordinator .....	509.359.6724