

# Annual Security Report & Annual Fire Safety Report

## Whitman College

### October 1, 2015

*The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act is a federal law that requires colleges and universities to disclose information about crime on and around their campuses.*

#### **Introduction Statement**

Whitman College is concerned about the safety and welfare of our campus members and guests and commits itself to promoting a safe and secure environment. Because no campus can totally isolate itself from crime, Whitman College has developed a series of policies and procedures designed to ensure that precautions are taken to protect the campus community.

#### **Disclosure of Crime Statistics**

The Vice President of Student Affairs/Dean of Students Office and Campus Security prepare this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with local law enforcement, Campus Security, Residence Life, Judicial Affairs, Sexual Misconduct victim's Advocate, Business Office, and other college areas. Each entity provides updated information on their educational efforts and programs to comply with the Clery Act. The annual security report includes statistics for the three most recent calendar years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Whitman College; and on public property within or immediately adjacent to and accessible from the campus. The statistics must be gathered from campus security, the Walla Walla Police Department, and other school officials who have "significant responsibility for student and campus activities" such as the Student Conduct Administrator. The report also includes institutional policies concerning campus security such as sexual misconduct and other matters.

The annual security report must be published and distributed to current students and employees by October 1<sup>st</sup> of each year. An email will be sent to current students and employees prior to October 1<sup>st</sup> that announces the report's availability, a list and a brief description of the information contained in the report and the exact address (URL) of the Internet Web site at which the report is posted (<https://www.whitman.edu/security/annual-security-report>). A paper copy of the annual security report will be provided to any students or employees on request. Requests for a paper copy should be directed to Campus Security at 509-527-5777.

A notice containing a statement of the annual security report's availability, a description of its content and the opportunity to request a copy will also be provided to prospective students and prospective employees.

#### **Reporting of Criminal Offenses**

Whitman College encourages students, employees and campus visitors to accurately and promptly report crimes to the Walla Walla Police Department and the Whitman College Campus Security Office. Please note that Campus Security is not a police department and filing a report with Security alone is not the same thing as making a report to the Walla Walla Police Department.

Emergency criminal offenses should be reported to the Walla Walla Police Department by dialing 911 and then contacting Campus Security at 509-527-5777 (only the last four digits are needed when dialing from an on-campus telephone). Non-emergency criminal offenses should be reported to Campus Security at 509-527-5777. Campus Security can aid in the reporting of non-emergency criminal offenses to the Walla Walla Police Department as needed or requested. Please report any suspicious activity or person inside buildings or around residence halls, loitering around campus or in parking lots to Campus Security. The campus has seven (7) blue light phones at the following campus locations:

1. Phi Delta Theta, 715 Estrella—In Front Yard
2. Maxey Hall—S.E. Corner
3. Maxey Hall—N.W. Corner
4. Memorial Hall—NE side, near outdoor tennis courts
5. Music Building—S.E. Corner
6. Prentiss Hall—Near Bridge in front of Prentiss Hall
7. North Hall—In yard in front of North Hall

These phones have a red 911 emergency button that dials the Walla Walla Police Department dispatch. If the red button is pushed and no one responds to the police dispatcher, the Walla Walla Police Department contacts Campus Security, who responds to the site. These phones also allow you to dial on-campus numbers, including Campus Security at 5777. Each residence hall also has a telephone located on the exterior of the hall next to the main front door. These phones dial both on-campus and off-campus numbers but require you to dial a 7 before dialing an off-campus number. However, in an emergency, you would simply dial 911 to reach the Walla Walla Police Department.

We also strongly encourage all students with mobile phones to place the Whitman Security telephone number (509-527-5777) and the Walla Walla Police Department non-emergency number (509-527-1960) in their lists of contacts. In addition, for students with smart phones, we strongly encourage them to download a free app called “Circle of 6.” This app allows students to program the names and cell phone numbers of 6 friends into their phone. Then, with the touch of an icon, they can either contact these 6 friends asking for an immediate interruption or asking for them to come and get them. For more information on “Circle of 6” please go to: <http://www.circleof6app.com/>.

**Reporting Options:**

You can also report crimes to the following areas. Reports made to these areas are evaluated for the purpose of making timely warnings to the community and inclusion in the annual statistics.

|  |              |                       |
|--|--------------|-----------------------|
| Security Officer                       | 509-527-5777 | Memorial Building 137 |
| VP of Student Affairs/Dean of Students | 509-527-5158 | Memorial Building 325 |
| Student Conduct Administrator          | 509-527-5158 | Memorial Building 325 |
| Associate Dean-Title IX Administrator  | 509-527-5158 | Memorial Building 325 |
| Associate Dean-Residence Life/Security | 509-527-5297 | Memorial Building 130 |

### **Campus Security Authorities:**

Campus Security Authorities (CSAs) are campus security officers or other campus officials with significant responsibility for campus and student activities. All CSAs have responsibility under Clery to report information for timely warnings and crime statistics. At Whitman, CSAs fall into one of four categories which include:

1. Campus security officers.
2. Staff or students other than campus security officers, who have responsibility for campus security including individuals who monitor access into a campus facility, act as event security or escort students around campus after dark.
  - Intercultural Center Interns
  - Reid Campus Center Building Managers
  - Resident Assistants
  - Security Escorts
  - Student Academic Advisers
3. Individuals or offices specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
  - Vice President of Student Affairs/Dean of Students Office
  - Residence Life Office
  - Student Conduct Administrator
  - Title IX Coordinator
4. An official of an institution who has significant responsibility for student and campus activities. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.
  - ASWC Club/Organization Advisers
  - Athletics Director
  - Coaches, Varsity & Club Sports
  - Debate Coaches
  - Greek Adviser
  - Intercultural Office Staff
  - Outdoor Program Staff
  - Student Activities Office Staff
  - Student Engagement Center Staff

### **Voluntary Confidential Reporting**

Faculty, staff and students at Whitman, as well as community members, may submit a confidential care report using our "Advocate" on-line system. The Advocate public care report log-in ([Whitman.edu/assist](http://Whitman.edu/assist)) allows a person to submit a confidential report in three areas:

- issues of general care/concern (eating disorders, substance abuse, mental health issues, etc.);
- an incident (theft, assault, hate crime/bias incident, vandalism, etc.);
- sexual misconduct (inappropriate contact, sexual assault, dating and domestic violence, stalking)

Submitting information through this form will result in the College contacting you to make sure we understand your concern and discuss any next steps. It will not automatically initiate conduct proceedings.

### **Crime Reports and Timely Warnings**

Security Officers are required to document their activities during their shifts. At the end of their shifts, Security Officers use these activities to write a security log, which is emailed to campus officials for review. Crimes which are either directly reported to Security Officers during their shifts or discovered by Security Officers during their shifts are entered into the Daily Crime Log, which is available at <http://dailysecuritylog.wordpress.com/>.

When a crime is reported by a campus security authority to Security Officers or another of the campus reporting options, the Vice President of Student Affairs/Dean of Students, the Director of Security and/or the Security Director's supervisor will determine if a timely warning should be issued. A timely warning is information about a serious situation or pattern of incidents which occur on the campus, on adjacent public property and on reportable non-campus property, issued to the campus community when in the judgment of the Vice President of Student Affairs/Dean of Students, the Director of Security and/or the Security Director's supervisor, it constitutes an ongoing or continuing threat. This warning will be issued by the Dean of Students Office through the college email system to students and employees.

Depending on the particular circumstances of the situation, especially those that could pose an ongoing, continuing threat to the community and individuals, the Security Office may also distribute flyers to each residence hall through the Resident Directors, each administrative office, the Academic Division Offices, the fraternities through the Greek Adviser, the athletic facilities and the Physical Plant. If deemed appropriate, flyers will be posted on the entrances to campus buildings. Anyone with information they think warrants a timely warning should report the circumstances to Security at 509-527-5777 or to any of the offices listed above as reporting options.

The College also requests that the Walla Walla Police Department provide the Director of Security with information regarding crimes on campus or adjacent to the campus for the purpose of issuing timely warnings.

Medical and mental health practitioners and ecclesiastical leaders excluded from reporting can contribute to anonymous, aggregate data collection.

### **Emergency Response and Evacuation Procedures**

Whitman College's Emergency Response and Evacuation Procedures coordinate College and community resources in order to protect life and property following an emergency on the Whitman College campus, provide for the physical and emotional well-being of community members, and return the College to normal functioning as soon as possible.

Knowing it is impossible to predict each and every incident which might constitute a community crisis, the severity and extent of the crisis will determine the level of response. Major disasters require a significant, immediate life-safety response, followed by on-going College-wide coordination. Other incidents would require a coordinated response with a less extensive life-safety component.

#### *Determination of an Emergency*

The Emergency Response Plan is under the executive direction of the College President who will determine whether the plan is to be activated and oversee implementation of the plan. In the absence of the President, the Treasurer /CFO will assume the role, followed in order by the Provost/Dean of Faculty, the Vice President for Student Affairs/Dean of Students, the Dean of Admissions, and the Chief Information Officer.

When appropriate, the President will make an official declaration of emergency, including the nature of the emergency, names of individuals in designated roles, and other changes in decision making structure, authority and process.

Emergencies will be categorized into three levels:

**Level 1 Emergencies** - can be handled through normal operating channels. These might include minor chemical spills, most deaths/suicides, low-level acts of violence, sewer stoppages, power outages, weather-related situations and false alarms.

**Level 2 Emergencies** - require a coordinated response beyond that of normal operating channels, but do not include significant damage to College facilities. These situations are likely to traumatize a significant number of community members, for example some deaths, violence or civil unrest, and major power outages. Level 2 emergencies may require initiation of the Emergency Management Plan to ensure coordinated communication and decision making.

**Level 3 Emergencies** – require a coordinated response beyond that of normal operating channels and include significant damage to College facilities. These situations may include emergencies such as floods, earthquakes, major chemical incidents, major fires and major acts of violence. Level 3 emergencies always require initiation of the Emergency Plan.

#### *Notification and Dissemination of Information*

Any member of the Whitman College community should feel empowered to initiate an emergency response by calling 911. Once an emergency has been declared, the College will work to keep the campus community informed with as little delay as possible. To this end the College has purchased mass notification systems called ‘Blackboard Connect’ and ‘Informacast’. These systems allow us to send messages using phones, text devices and email. In addition the College has installed Voice-over IP phones in classrooms and offices. The phone system includes a feature that allows the phone to act as a public address system and send out a recorded message that is broadcast over each phone. The College will also post information as it is available on the Whitman College web page under the “Headline News” banner. The content of any notifications will be the responsibility of the Public Information Officer or her designee in conjunction with the College President or his designee.

In the event of an emergency or dangerous situation that poses an immediate threat to the safety of the campus community, community members will be given instructions using one of the mass communication systems or by a the utilization of a “runner” who has be instructed to deliver emergency

information door-to-door. The instructions will most likely be to either evacuate the building and gather in a designated location or to “Shelter in Place,” locking/barricading doors and windows if necessary.

Information will be disseminated as quickly as possible without delay taking into consideration the safety of the campus community. The content of the notification may be limited based on the professional judgment of responsible authorities such as law enforcement agencies. If information is limited it will be as an effort not to compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

#### *Testing Emergency Response Systems and Plans*

All mass notification systems will be tested at least once each semester. The test will include the statement “this is a test”. Whitman College Technology Services will make available, on request, documentation of the test.

Evacuation drills will be conducted at least once per semester in campus residence halls. Drills in residence halls will be unannounced.

The Emergency Response Plan will be reviewed after each emergency and at least once per year. The Whitman College Safety Department will conduct an emergency exercise, in the form of a ‘table top,’ functional or full-scale exercise annually. A report of the exercise may be requested from the Safety Department. In the near future all documentation of emergency drills and exercises will be located on the Whitman College Safety Department web page.

#### **Missing Student Notification**

Whitman College has established a policy and procedure for missing student notification. One of the following individuals or offices should be contacted if a student living in on-campus housing has been missing for at least 24 hours. Note that the following steps may also be taken, if circumstances warrant, for a student who has been missing for less than 24 hours.

-Resident Assistant, Residence hall in which missing student resides, contact information varies

-Resident Director, Residence hall in which missing student resides, contact information varies

-Security Office, Memorial Hall 137, [509-527-5777](tel:509-527-5777)

-Associate Dean-Campus Life, Memorial Hall 130, [509-527-5297](tel:509-527-5297)

-Vice President of Student Affairs/Dean of Students, Memorial Hall 325, [509-527-5158](tel:509-527-5158)

Every residence hall student has the option to register a contact person to be notified by college officials if that student is determined to be missing. The list of contact persons will remain confidential and accessible only by the Vice President of Student Affairs/Dean of Students, Associate Dean for Campus Life, Director of Security, and law enforcement officers in accordance with a missing person investigation. Local law enforcement will be notified of all students determined to be missing, whether they have registered a contact person or not. The parent or guardian of a student under 18 years of age and not emancipated will be notified should that student be determined to be missing.

When a student is thought to be missing, communication between appropriate campus officials is vital. If the student's resident assistant or resident director is notified, she or he will immediately contact a security officer, the Vice President of Student Affairs/Dean of Students, or the Associate Dean for Campus Life. Once one of these individuals is contacted, the other two will be notified to ensure communication of all pertinent information. Upon notification of a missing student, the residence life staff (RA's and RD's) will be contacted to determine if the student's whereabouts are known. The Vice President of Student Affairs/Dean of Students may also seek to determine the student's whereabouts. If these steps do not locate the student, the Vice President of Student Affairs/Dean of Students may contact the student's confidential contact person (if one is listed) or the student's parent/guardian. If they are non-emancipated and under 18 years of age the parent/guardian will be called. The call will be to inform him or her of the student's status and inquire about his/her whereabouts in the event that the contact person knows the location of the student. If the student is still missing after this notification, the Vice President of Student Affairs/Dean of Students may notify campus staff and faculty of the missing student through the campus email system and inquire if any employees of Whitman know where the student may be. If these steps do not locate the student, the Director of Security, with the authorization from the Vice President of Student Affairs/Dean of Students, will convene an investigation to try to locate the student. This investigation may include interviewing residents, peers, and other Whitman community members who may have information regarding the location of the missing student. Upon direction by the Vice President of Student Affairs/Dean of Students, the Director of Security may also notify local law enforcement of the missing student in accordance with the investigation.

If circumstances warrant, these steps may be followed if a student has been missing for less than 24 hours.

### **Security and Access Regarding Campus Facilities**

During business hours, most College facilities are open to students, parents, employees, contractors, guests and invitees. During non-business hours access to College facilities is by an authorized key, a valid ID card or admittance via a Security Officer, upon proper authorization. Some College facilities are locked 24 hours a day, seven days a week and require a valid ID card to gain entrance. Examples include Baker Ferguson Fitness Center and all residence halls. Other College facilities are locked unless a college event is being hosted in the facility. Examples include Cordiner Hall and Bratton Tennis Center. Other College facilities have individual hours, which may vary at different times of the year. Examples include the Baker Center, Penrose Library, Reid Campus Center and Sherwood Center.

Exterior residence hall doors are locked 24 hours a day and accessible only by a valid ID card, key code combination or a key. Over extended college breaks, the exterior doors of residence halls are secured, and equipped with a separate lock from the regular key issued to resident students. Doors with swipe access have swipe access changed, in addition to the key change.

The exterior doors of the student interest houses are locked 24 hours a day and accessible only by a valid key. During summer breaks, interest house exterior door keys are collected from residents and the houses remain locked during this period. Over winter break, students keep their keys but they are told they are considered trespassers if they enter during the breaks. Security checks to make sure the houses are secure during breaks.

Students and employees living in college-owned houses are responsible for determining when to lock and unlock their exterior doors and for securing the facility during extended breaks. The fraternity houses are

also responsible for determining when to lock and unlock their exterior doors and for securing the facilities during extended breaks.

Emergencies may necessitate changes or alterations to any posted schedules. Campus Security Officers patrol the campus throughout the day and night, and report any areas or items that are a safety or security concern in their security logs. The Security Officers look for safety/security issues such as lighting, alarms, landscaping, locks and construction during their rounds. The security logs are received by numerous offices including the Vice President of Student Affairs/Dean of Student's Office, the Treasurer's Office and the Physical Plant, who respond to reported safety/security issues.

### **Campus Enforcement Authority**

Whitman College Security Officers have the authority to enforce the policies of Whitman College. This includes having the authority to ask people for identification and to determine whether individuals have lawful business at Whitman College. It also includes asking unauthorized person to leave campus events and/or property. They also have the authority to contact local law enforcement authorities in seeking compliance with local, state and federal laws. Security Officers do not possess arrest power. Criminal incidents are referred to the Walla Walla Police Department who have jurisdiction on the campus.

The Security Officers maintain a working relationship with the Walla Walla Police Department. At this time, the Security Officers have little on-going contact with the Washington State Police, the Sheriff's Department or the State Liquor Control Commission. If needed or requested, Whitman College Security Officer would work with these agencies. Crime victims and witnesses are strongly encouraged to immediately report crime to the Security Office and the Walla Walla Police Department. Prompt and accurate reporting will assure timely warning notices on-campus.

### **Professional and Pastoral Counseling Reporting**

Professional and pastoral counselors employed by Whitman College have a professional obligation of confidentiality regarding information disclosed during a counseling session. Whitman College does not have a written policy which requires psychological and pastoral counselors to inform their clients of the procedures to report crime to Security Officers and/or local law enforcement. Medical and mental health practitioners and ecclesiastical leaders excluded from reporting can contribute to anonymous, aggregate data collection.

### **Criminal Activity at Off-Campus Locations**

When a Whitman student is involved in an off-campus offense, local law enforcement will respond to the incident. In addition, Whitman College fraternities, which are recognized off-campus student organizations, are also under the jurisdiction of the Walla Walla Police Department. (Whitman sororities occupy a section of Prentiss Residence Hall so they are considered on-campus student organizations). Security Officers may assist in responding to and investigating an incident at a fraternity when requested to do so by local law enforcement. College officials meet regularly with Walla Walla Police Department representatives to discuss issues relating to off-campus incidents. In addition, crime statistics from the Walla Walla Police Department are included in Whitman's annual security report.

### **Security Awareness/Crime Prevention Programs**

During the new student orientation programs in August and January, new students attend a campus safety program hosted by college staff from the Security Office and the Environmental Health and Safety Office, as well as staff from the WWFD and the WWPD. The Residence Life staff also informs students on ways to maintain personal safety and residence hall security. Three additional new student orientation programs



focus on sexual violence prevention including an online course called ‘Think About It’ which students complete prior to arriving on campus. ‘Think About It’ focuses on alcohol use, drug use, sexual assault and healthy relationships. The second new student orientation program is Green Dot, a bystander education program the focuses on issues of stalking, partner violence and sexual assault as well as ways to proactively change the culture as a way to reduce sexual violence. The third new student orientation program is on consent, a student to student program that reviews the definition of consent using the Whitman College sexual misconduct policy and gives specific examples of how Whitman students ask each other for consent in intimate situations. All students are also encouraged to download the free app ‘Circle of 6’ and to make use of it as needed. New faculty and staff attend a session on Title IX and the Campus SaVE Act, which focuses on issues of stalking, partner violence and sexual assault.

Crime prevention programs on personal safety and theft prevention are conducted on campus in various formats throughout the year. Campus Security personnel facilitate programs for students, employees and others associated with the College. Programs for residence hall staff are provided each semester, providing a variety of educational strategies and tips on how to protect against assault, theft and other crimes.

The campus also has an escort service for students and employees which provides escort to and from campus facilities and up to two blocks off the campus from 7 p.m-1 a.m. seven days a week during the academic year. Security officers can also provide escorts, when student escorts are not in service. *Tip:* To enhance personal safety in the evenings, walk with friends or call Security at 509-527-5777 for a Security escort.

When time is of the essence, information is distributed to the campus community through timely warning memos sent over the college’s electronic mail system by the Dean of Students Office.

## CAMPUS POLICIES

### **Alcohol Policy**

Alcohol use continues to be an issue of concern on college campuses all across the country. Its abuse by Whitman students is strongly discouraged because such behavior is counterproductive to the goals and mission of the college. Whether or not students choose to drink alcoholic beverages is their personal decision; however, individuals are held personally accountable for their actions at all times. The primary objectives of the college’s policy and procedures on alcoholic beverages are (a) to promote responsible behavior and attitudes among all members of the college community, (b) to educate students concerning the use and effects of alcoholic beverages in order to promote responsible decision-making, and (c) to help individual students experiencing difficulties associated with the use of alcohol.

### **Regulations Concerning Alcohol**

1. There shall be no drinking of alcoholic beverages and no open containers of alcoholic beverages in public places on the college campus or public areas in campus buildings. Exceptions may be made on an event-by-event basis under the following conditions:
  - a. The use of alcoholic beverages will be in full compliance with the Washington State Law.
  - b. The event is sponsored by a college-affiliated organization or an organization that has reserved the facility according to college procedures.
  - c. A college faculty or staff member assumes responsibility for the event and agrees to be present for its duration.

- d. The department, division, office, or administrator responsible for the facility being requested agrees to the terms of the use of alcoholic beverages and the facility.
2. No ASWC fees or residence hall fees may be used for the purchase of alcoholic beverages.
3. Students and student groups must avoid the direct or indirect sale of alcoholic beverages.
4. Students will be held directly responsible for the destruction of personal or public property, the violation of the safety or rights of other persons, or the violation of any other campus regulations, which may occur while they are under the influence of alcohol. Excessive consumption and/or purchasing large quantities of alcoholic beverages are considered a violation of the alcohol policy.
5. All students should be familiar with the Washington State law that governs the use and purchase of alcohol (see below). Further, students who are of legal age should pay careful attention to laws regarding the supplying alcohol to those under the age of 21.

### **Washington State Law**

Students should know that the Alcoholic Beverage Laws of the State of Washington and the City of Walla Walla specify the following:

*It is unlawful for people under the age of 21 years to acquire or have in their possession or consume any liquor except that given to them by their parents or guardian or administered by their physician or dentist for medicinal purposes. It is a violation of the State Liquor Act punishable by a maximum fine of \$5,000 or imprisonment, or both, for any person under the age of 21 years to purchase, possess, consume, or otherwise acquire alcoholic liquor. The sale of alcoholic liquor to minors is a gross misdemeanor and the giving or supplying of alcoholic liquor to people under the age of 21, either for their own use or for the use of any other person for consumption on the premises or anywhere else, is a gross misdemeanor. The misrepresentation of age and the use of false or forged documents to obtain alcoholic beverages are gross misdemeanors punishable by a maximum fine of \$5,000.*

### **Drugs & Other Dangerous Substances**

The possession, use, or distribution of illegal drugs or other controlled substances is a violation of the law. The college has chosen to take a strong stand against the use of controlled substances because of the significant risks that students assume when deciding to use them. Many of these substances are physically or psychologically addictive; the composition of “street” drugs can never be determined by the user and is often dangerous; strictly enforced laws and policies can lead to serious consequences for even the experimenter or occasional user. For example, jail sentences may be imposed, fines may be levied, and one’s status with the college as well as future employment opportunities may be jeopardized. The negative personal consequences that can happen to a student far outweigh any brief exhilaration or escape.

The college strongly believes that any use of controlled substances is antithetical to the growth and student rights and responsibilities development of students and contrary to the mission of Whitman College. Some drugs and substances, although not illegal, may also cause harm and are dangerous to use. The college may apply disciplinary procedures to students who abuse these substances. The College recognizes that substance use and abuse can cause serious problems for students, and wishes to provide information or personal assistance to anyone who seeks it. Current information regarding abuse is available from the Health Center. Personal counseling and referral to community resources are available in the Counseling Center and the Health Center.

### **Regulations Concerning Drugs**

It is a violation of college policy to use, possess or distribute any illegal drug or controlled substance including marijuana, except as expressly permitted by law. Any student choosing to violate this policy, or

the laws of the State of Washington, should be prepared to accept the consequences of his/her decision. The college reserves the right to pursue legal and/or its own judicial action should students violate the law or this policy.

As mentioned above, Whitman College may apply disciplinary procedures to students who abuse drugs or substances that are not illegal but may cause harm. Marijuana, while legal in small amounts for those over 21 in the State of Washington (in private spaces), will not be allowed, in any form, on campus.

### **Drug and Alcohol Prevention Programs**

Whitman College continues to develop a program to prevent the illicit use of drugs and the abuse of alcohol for students. Our current program provides services related to drug use and abuse including the dissemination of informational materials, such as the student handbook, educational programs, counseling services, referrals and college disciplinary efforts. Employees have two options for dealing with the illegal use of drugs and/or the abuse of alcohol. The College contracts with Cigna to provide an employee assistance program. As part of this employee assistance program, Cigna offers College employees anonymous, confidential alcohol abuse and/or drug abuse counseling and resource referrals. Also, employees who are enrolled in the College's medical plan are provided with a chemical dependency treatment benefit (including both alcohol and drugs).

The Associate Dean of Student: Student Programs and Activities provides the overall coordination of the drug and alcohol prevention program. However, many services are the responsibility of other areas of the institution. These include:

- Counseling Services
- Vice President of Student Affairs/Dean of Students
- Health Services
- Institutional Research
- Judicial Affairs
- Residence Life and Housing
- Security Office

To review Whitman College's Annual Drug-Free Schools and Communities Act information, please go to: <http://www.whitman.edu/offices-and-services/dean-of-students/drug-free-schools-and-community-act>

### **Sexual Offense Response Procedures:**

If you feel you have experienced an incident of sexual misconduct, you are urged to take the following actions:

1. Seek emotional support:

- Sexual Misconduct Victim's Advocate—509-527-5208/509-540-2159
- Counseling Center –509-527-5195
- YWCA—509-529-9922 (24 hour/7 days a week)

2. Seek medical attention as soon as possible.

- Health Center—509-527-5185
- Planned Parenthood—509-529-3570
- St. Mary Medical Center—509-525-3320/Walla Walla General Hospital –509-525-0480

### 3. Report the incident

- Sexual Misconduct Victim’s Advocate—509-527-5208/509-529-1082
- Campus Security—509-527-5777
- Walla Walla Police (emergency)—911

### 4. Investigate judicial/legal options

- Vice President of Student Affairs/Dean of Students—509-527-5158
- Title IX Administrator—509-527-5158
- Walla Walla Police (non-emergency)—509-527-1960

Providence-St. Mary Medical Center and General Hospital offer Sexual Assault Forensic Examinations (SAFE) that will collect evidence of a sexual assault. This exam should be completed within 72 hours of the incident, but preferably as soon as possible. In order to preserve evidence, it is important not to bathe or shower prior to seeking medical attention. It is also critical that any articles that could be used as evidence, such as clothing, sheets, couch cushions, etc, be placed in separate bags and given to the Walla Walla Police Department.

If you report an incident of sexual assault to the College, the Title IX Administrator (Juli Dunn) will meet with you to discuss your options. If you wish to report the incident to the Walla Walla Police Department, College personnel such as the Sexual Misconduct Victim’s Advocate (Barbara Maxwell) or a Security Officer, will assist you in making this report, if requested. You can either be accompanied to the police station to make a statement or it can be arranged for an officer to take your statement at an on-campus location of your choice.

A domestic violence officer from the Walla Walla Police Department (Chalese Rabidue) is available to talk to you if you are not sure you want to make a report to the police department. This person is available from 8:00-5:00 Monday-Friday at **(509) 524-4400** or **(509) 527-4434**. If you do choose to make a report to the Walla Walla Police Department, an officer will talk to you and explain your rights as a victim and your right to have an advocate assigned to you. The advocate may be a person of your own choosing or an advocate from the YWCA. The officer will inform you that the local Walla Walla paper, Union-Bulletin, does not publish the names of sexual assault victims as well as the protocol for a police investigation.

Finally, the College will change a student victim’s academic and/or living situation after an alleged sex offense, assist in developing a safety plan, issue a no-contact directive, provide academic assistance and offer on-going support when requested by the victim.

## **Grievance (Sexual Misconduct) Policy**

The Grievance Policy is an umbrella policy that covers all members of the Whitman College community and provides a way for community members to bring forward problems, complaints, or grievances. The Grievance Policy will be used to address issues of harassment, discrimination, or violence including sex- or gender-based incidents.

## 1. PURPOSE AND SCOPE OF THIS POLICY

### 1.1 Introduction

Whitman College is committed to providing a learning and working environment characterized by mutual respect and fair treatment among all its constituents. An essential component of this environment is a strong ethic and practice of equality, acceptance, and nondiscriminatory interactions. Harassment or discrimination on the basis of race, color, sex, gender, gender identity or manifestation, sexual orientation, religion, age, marital status, national origin, disability, veteran's status, or any other basis prohibited by college policy or by state or federal laws is unacceptable and will be addressed through this policy.

Furthermore, Whitman College strives to provide a safe environment in which students and employees can pursue their education and/or employment free from the detrimental effects of sexual misconduct, which includes, but is not limited to, sexual harassment, domestic violence, intimate partner violence, stalking, sexual assault, and other forms of non-consensual sexual behavior. Therefore, the College seeks to educate students, faculty, and staff about these issues and to provide a means of recourse for those students and employees who believe they have experienced such behavior. The College reserves the right to respond with whatever measures it deems appropriate to prevent sexual misconduct and preserve the safety and well-being of its students and employees.

- Whitman College recognizes that problems, complaints, or grievances might arise in the daily relationships between faculty, staff, and students.
- Individuals at odds with one another are encouraged to first attempt to resolve their differences. The grievance procedure outlined in this policy is primarily for cases where this approach has not been successful or is not appropriate, for example see section 2.4.

### 1.2 Purpose

- To establish procedures for filing complaints, including those of a sexual nature, from students<sup>1</sup> and employees<sup>2,3</sup> both formally and informally. *[Note: Throughout this policy faculty and staff are referred to as "employees" unless otherwise noted (e.g. non-faculty employees.)]*
- To outline procedures for addressing and resolving grievances involving conduct prohibited by Whitman College policy as well as federal and state laws pertaining to higher education and employment.
- To affirm the College's commitment to investigate all notices of allegations of harassment and/or discrimination, including those of a sexual nature, and act to end the violation, prevent its recurrence, and remedy its effect on individuals and the community.
- To define sexual misconduct, which includes sexual harassment, domestic violence, intimate partner violence, stalking, other forms of non-consensual sexual behavior, or sexual exploitation. To identify resources and support for students and employees reporting an incident, including an incident of sexual misconduct.
- To outline processes and procedures to respond appropriately when such incidents do occur.

### 1.3 Scope & Jurisdiction

- A grievance is a complaint alleging conduct or actions by a member of the Whitman College community, which harms another employee's or student's ability to take full advantage of the College's educational or employment opportunities, or impedes the claimant's<sup>4</sup> ability to study, learn, or work. This conduct can occur on or away from campus.
- The Grievance Policy applies principally to students, faculty, and staff, but also applies to those who interact with the Whitman community or Whitman affiliated programs.
- Any member of the Whitman community, including but not limited to students, employees, and alumni, has a right to express a grievance.
- This policy applies to all college-related activities both on and off campus and applies to all individuals involved in these activities.
- This policy also applies to conduct by or directed toward third parties, who are not themselves employees or students of Whitman College. The disciplinary action that the College may take will differ depending on the level of control the College has over the harasser. Regardless of the level of disciplinary action taken, Whitman College is committed to remedying the effects of any behaviors that harass, discriminate against, or enact violence against another person based on that person's race, color, sex, gender, gender identity or gender manifestation, sexual orientation, religion, age, marital status, national origin, disability, veteran's status, or any other basis prohibited by college policy.

#### 1.4 Education and Prevention

Whitman College provides ongoing education and training to students and employees on a periodic basis addressing its policies regarding harassment, discrimination, domestic and intimate partner violence, stalking, and sexual misconduct.

- All employees must periodically complete an online training on harassment and other prohibited conduct.
- Title IX and Campus SaVE Act training is provided at a department level on a periodic basis.
- All incoming students and new employees are required to attend sexual misconduct prevention programs.
- In addition to "Green Dot," a nationally recognized program effective in preventing sexual misconduct, students must attend a program designed to educate them regarding their obligation to obtain consent freely, willingly, and knowingly prior to engaging in sexual activity as well as learning about the detrimental role alcohol plays in sexual misconduct.
- All incoming students are required to complete an online educational module focused on issues of personal and community safety.
- The College provides an annual required training for the appropriate Investigative Review Committee<sup>5</sup> and Sanctioning Boards<sup>6</sup> (see 4.7 and 4.8) on issues pertaining to particular grievances such as sex- or gender-based offenses.

#### 1.5 Title IX

**Title IX is a federal law that states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance."**

Title IX applies to students and employees. Title IX provides regulatory provisions to address conduct between students, between students and employees, and between employees.

The Title IX Administrator will coordinate the College's response to reports of sexual misconduct. This includes:

- Assisting students or employees who choose to report an incident of sexual misconduct to the Walla Walla Police Department or other law enforcement agencies
- Making information regarding this policy and related services available to students and employees in print and via the website
- Assisting claimants and responding parties in understanding their rights
- Assistance in obtaining an adviser
- Recommending necessary remedial short-term actions to provide appropriate support and safety. This would include facilitating requests for safe housing, negotiating academic accommodations, and providing referrals to on and off campus resources
- Recommending interim actions such as interim suspension or other measures to protect the safety of the claimant and/or the campus community
- Investigating reports of alleged sexual misconduct between students, between students and employees, and between employees
- Issuing no-contact and no-trespass directives [Note: such directives may remain in place even if an investigation ends in a finding of not responsible.]
- Overseeing the investigation and adjudication processes and if necessary, the appeal procedures

### **1.6 Employee Reporting Obligations under Title IX**

Whitman College employees are required to promptly notify the Title IX Administrator no later than 24 hours after learning of, or when on notice of, instances of sex- or gender-based harassment, discrimination, or misconduct. Excluded from this requirement are the College's licensed counselors, health professionals, or victim's advocate working in that capacity at the College. The College has an affirmative obligation to investigate and to act to resolve such complaints in a prompt and effective manner.

Whitman College has a Title IX Administrator (Julia Dunn, Associate Dean of Students and Title IX Administrator, Memorial Building 330, Whitman College, (509) 524-2049, [dunnjl@whitman.edu](mailto:dunnjl@whitman.edu)) who will oversee an investigation conducted by a trained investigator or team of investigators, of any allegations of sex- or gender-based discrimination or misconduct.

### **1.7 Section 504 and Disability**

Whitman College does not discriminate on the basis of disability. The College has adopted this grievance policy in order to provide prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. Section 504 prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance. The law and regulations may be examined in the office of Julia Dunn, Associate Dean of Students, (509) 527-5158, [dunnjl@whitman.edu](mailto:dunnjl@whitman.edu), who has been designated to coordinate Whitman College's efforts to comply with Section 504.

Any student who believes they have been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for Whitman College to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance. The grievance procedures outlined starting at Section 3 will be followed. Any employee who believes they have been subjected to discrimination on the basis of disability may file a grievance under this procedure. Employees who wish to file a grievance should do so with the Director of Human Resources (Dennis Hopwood, (509) 527-5970, [hopwoodt@whitman.edu](mailto:hopwoodt@whitman.edu)).

Whitman College will make appropriate arrangements to ensure that persons with disabilities are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing audio recordings of

material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements.

### **1.8 Academic Freedom and Freedom of Speech**

Whitman College recognizes that the educational process can be controversial and unsettling, particularly when one's ideas or values are being challenged. The learning, working, and living environments might not always be comfortable for all members of the College community. The College neither censors nor censures speech simply because it is offensive or uncomfortable. In determining whether an act or expression constitutes discrimination or harassment, the context must be carefully reviewed and full consideration must be given to protection of individual rights, freedom of speech, and academic freedom.

## **2. DEFINITIONS**

The following are definitions of terms related to this policy and the grievance process. They reference conduct prohibited by federal and state laws, conduct prohibited by Whitman College policies, and conduct that may place the learning and working environment at risk. This list is not meant to be all-inclusive.

### **2.1 Discrimination**

Discrimination is any distinction, preference, advantage for, or detriment to, an individual compared to others that is based upon an individual's actual or perceived race, color, sex, gender, religion, age, marital status, national origin, disability, veteran's status, sexual orientation, gender identity or manifestation, or other basis prohibited by state and federal laws. Actions or policies that are sufficiently severe or persistent or pervasive and objectively offensive, and result in unequal opportunity in education or employment, or adversely affect the terms and conditions of a person's employment or education at the College, which are motivated or based, in whole or part, on the protected categories can be considered discrimination.

### **2.2 Discriminatory Harassment**

Discriminatory Harassment is an unwelcome action based on an individual's actual or perceived race, color, sex, gender, religion, age, marital status, national origin, disability, veteran's status, sexual orientation, gender identity or manifestation, or any other basis prohibited by state or federal laws that is so severe or persistent or pervasive and objectively offensive that it unreasonably interferes with, limits, or denies a person's ability to work, participate in, or benefit from the College's educational programs or activities.

### **2.3 Retaliatory Harassment**

Retaliatory Harassment is any intentional action taken by an accused individual or allied third party to seek revenge, reprisal, or injury to an individual or group who has exercised the right to file a grievance or make an oral or written report of prohibited harassment or discrimination, or participate in a related grievance proceeding.

### **2.4 Sexual Harassment**

Sexual Harassment is defined as unwelcome verbal or physical conduct of a sexual nature that is sufficiently severe, persistent, or pervasive and objectively offensive such that it unreasonably interferes with, limits, or deprives someone of the ability to participate in or benefit from the College's educational programs or employment opportunities. The unwelcome behavior may be based on power differentials (*quid pro quo*), the creation of a hostile environment, or retaliation. A single instance of sexual assault may be sufficient to constitute a hostile environment. Further examples include:



- Unwelcome sexual advances or propositions that interfere with one's education or employment opportunities
- Unwelcome statements, jokes, gestures, pictures, intentional nonconsensual touching of an intimate body area, gender-based bullying, stereotyping, or other conduct that demeans, harasses, or intimidates
- Using electronic devices or technology (e.g., cell phone, camera, email, Internet sites, or social networks) to record or transmit nudity or sexual acts without a person's knowledge and/or permission
- Coercion or an attempt to coerce an unwilling person into a sexual relationship
- Repeatedly subjecting a person to unwelcome sexual attention
- Conditioning a benefit on submitting to sexual advances (quid pro quo). Examples include:
  - Seeking sexual favors or relationships in return for the promise of a favorable grade or other academic opportunity
  - Basing an employment-related action (hiring, salary increase, performance appraisal rating, promotion, etc.) on a sexual favor or relationship
- Punishing a refusal to comply with sexual advances
- Sexual violence, committing violence within a relationship (domestic/dating/intimate partner violence)
- Repetitive and/or menacing pursuit, following, harassment either in person or with electronic devices (stalking)
- Intentionally observing nudity or sexual acts of another person without the person's knowledge or permission (voyeurism)
- Unwelcome touching of the genitals, buttocks, or breasts that is intentional or other unwelcome touching or groping
- Forcing/coercing someone to touch you or someone else in a sexual manner
- Threatening to sexually harm someone
- Initiating sexual activity with a person who is incapacitated and unable to provide consent due to alcohol and/or drug consumption or other condition
- Inducing incapacitation for the purpose of sexual exploitation
- Ignoring a sexual limit that has been communicated
- Coercing or intimidating or attempting to coerce or intimidate someone into sexual behavior
- Sexual assault, including non-consensual penetration of, or forcing someone to penetrate, an orifice (anal, vaginal, oral) with the penis, finger, tongue, or objects

Sexual harassment is particularly damaging when it exploits the educational dependence and trust between students and faculty/staff. When the authority and power inherent in faculty/staff relationships with students is abused in any way, there is potentially great damage to the individual student, to the accused individual, and to the climate of the institution.<sup>7</sup>

## **2.5 Consensual Relationships**

A consensual relationship, for the purpose of this policy, is defined as a relationship developed between two individuals within the Whitman community that is consensual, romantic, intimate, and/or sexual in nature. Such relationships can prove particularly problematic when there is an unequal power relationship, that is, one of the individuals has actual or perceived power, authority, and advantage over the other. For example, a staff member who has authority to control salary decisions, conduct performance appraisals, and promote employment opportunities, enters into a relationship with a subordinate.

It should be noted that negative consequences, including claims of conflict of interest, coercion and exploitation, sexual harassment, hostile work environment, and retaliation, could arise from a less than

amicable ending of a consensual relationship where there is a power differential between individuals. Moreover, under the law, co-workers may assert claims of discrimination when a fellow worker is perceived to be receiving favorable treatment due to a consensual relationship with a supervisor.

The Faculty Code states in part, “It is therefore unacceptable for faculty to have romantic or sexual relationships with students, except when the relationship pre-dates either the student’s initial enrollment in courses at Whitman College or the faculty member’s initial appointment and the faculty member holds no supervisory or evaluative role over the student.” And also, “Similar power differentials may also render it inappropriate for faculty to have romantic or sexual relationships with staff over whom they have supervisory authority.” (*For the complete faculty statement on consensual relationships, see Faculty Code, Chapter 2, Article III*)

## **2.6 Consent**

The College defines consent as a knowingly, freely, and affirmatively communicated willingness to participate in sexual activity, expressed by clear, unambiguous words or actions. It is the responsibility of the initiator of the sexual activity to ensure that the participants consent to engage in sexual activity. Consent must be present throughout the sexual activity by all parties involved. At any time during sexual activity, a participant may communicate that they no longer consent to continued activity. The initiator of sexual activity may not obtain consent through the use of force, threats, coercion, or intimidation. Sexual activity with someone who is known to be, or based on the circumstances should reasonably be known to be, mentally or physically incapacitated or unconscious through the use of alcohol or other drugs constitutes a violation of this policy, because that individual lacks the capacity to consent. The party seeking to initiate sexual activity must know or reasonably should know of the other party’s inability to consent or will be determined responsible for failure to effectively obtain consent.

One cannot assume consent because of the existence of a previous dating or sexual relationship. The use of alcohol or drugs does not diminish one’s responsibility to obtain consent for sexual activity.

## **2.7 Incapacitation**

To better understand and determine the relationship between the use of alcohol and capacity, we use the National Center for Higher Education Risk Management’s accepted explanation. There are multiple levels of effect, along a continuum:

- The lowest level is impairment, which occurs with the ingestion of any alcohol. A synonym for impairment is “under the influence.”
- The next level is intoxication, also called drunkenness, similar to the state’s drunk driving limit.
  - A person can be “drunk” and also have the capacity to give consent.
- Incapacity is a higher level of alcohol consumption in which an individual is incapable of understanding information presented, appreciating the consequences of acting or not acting on that information, and making an informed choice.
  - One who is physically incapacitated as a result of alcohol or other drug consumption (voluntary or involuntary), or who is unconscious, unaware, or otherwise physically helpless, is incapable of giving consent.
  - One may not engage in sexual activity with another person who one knows or should reasonably know to be mentally or physically incapacitated.
  - An individual initiating sexual activity who knows or reasonably should have known that the other party was incapacitated will be in violation of the sexual misconduct policy.
- The highest level is overdose, or alcohol blood poisoning, which may lead to coma or death.

## **3. GRIEVANCE PROCEDURE**

Faculty, staff, and students are encouraged to bring unresolved problems and complaints to the attention of the appropriate college officials outlined below. Some harassment complaints and incidents of interpersonal conflict can be resolved informally, whereas others, such as those involving sex- or gender-based harassment, discrimination, or violence will need to undergo a formal resolution process.

### **3.1 How to File a Grievance**

Members of the Whitman Community who know about an incident or believe they have been subjected to a civil rights violation such as harassment or discrimination, or who have a grievance concerning a serious interpersonal conflict, should meet with individuals in the following offices:

- **Students** who have a complaint or who would like information about the grievance process should go to the Dean of Students Office (Memorial 325) or, for grievances involving sex- or gender-based misconduct, the Title IX Administrator (Julia Dunn, Memorial 330, [dunnjl@whitman.edu](mailto:dunnjl@whitman.edu), (509) 524-2049).
- **Employees (faculty and staff)** who have a complaint or would like information about the grievance process should go to the Human Resources Office (Memorial 104) or the Provost and Dean of the Faculty (Memorial 308). For grievances involving sex- or gender-based behaviors, employees should meet with the Title IX Administrator (Julia Dunn, Memorial 330, [dunnjl@whitman.edu](mailto:dunnjl@whitman.edu), (509) 524-2049).

### **3.2 Resources and Support**

Whitman College provides students with support, counseling, medical referrals, assistance with safe housing, and information concerning their rights. Students can access resources and support through the Dean of Students Office (Memorial 325) or the Victim's Advocate (Barbara Maxwell, Reid Campus Center 202, [maxwelba@whitman.edu](mailto:maxwelba@whitman.edu), (509) 527-5208). Employees can access resources and support through the Human Resources Office (Memorial 105). Whitman College provides employees with support, counseling and medical referrals, safety measures, and information concerning their rights. The College will also provide assistance to students and employees in reporting to law enforcement officials.

Any student who has experienced an incident of sexual misconduct may seek confidential support from staff in the Counseling ((509) 527-5195) or Health Center ((509) 527-5281) or from the Victim's Advocate (Barbara Maxwell, Reid Campus Center 202, [maxwelba@whitman.edu](mailto:maxwelba@whitman.edu), (509) 527-5208); employees may seek confidential support from the Victim's Advocate. While these individuals will not relay personally identifiable information without the complaining party's consent, they will provide general information to the Title IX Administrator (Julia Dunn, Memorial 330, [dunnjl@whitman.edu](mailto:dunnjl@whitman.edu), (509) 524-2049) that includes the description of the behavior and the date of the incident. Additional confidential reporting sources for both students and employees are accessible at the YWCA (213 First Street, (509) 525-2570, (509) 529-9922 (24-hour hotline number)).

### **3.3 Protection from Retaliation**

This policy prohibits retaliation against anyone who reports or is believed to have reported harassment, discrimination, or other prohibited behavior, or who is a witness or otherwise involved in a related investigatory proceeding. Such retaliation will be considered a serious violation of this policy, regardless of whether an informal or formal complaint is upheld. Encouraging others to retaliate is also prohibited and will be subject to disciplinary action.

### **3.4 Prompt Reporting**

Prompt reporting of a complaint is strongly encouraged, as it allows rapid response to and resolution of prohibited or objectionable behavior. The passage of significant time between an incident and an

investigation can result in memory lapses, the departure of key witnesses, or other time-sensitive factors that can impair the investigation.

### **3.5 Privacy**

College officials who are involved in informal or formal complaint resolution procedures or investigations, as a result of being consulted by the claimant, the accused (responding party), and/or college officials conducting investigations, are obliged to respect the privacy of the individuals involved to the greatest extent possible. The Family Educational Rights and Privacy Act (FERPA) requires protection of students' education records. College officials may not disclose information from a student grievance complaint to anyone other than those involved in the hearing process or those who have a legitimate education interest (as identified as a legitimate need to know information in order to perform one's job or role with the College). The College will fully cooperate with law enforcement in connection with related investigation and legal proceedings.

While the College will not share information with persons not involved directly in the process, the claimant and the responding party have a right to discuss and share information relating to their case.

### **3.6 Dishonest Reports**

Persons who submit intentionally dishonest reports could be subject to disciplinary action.

### **3.7 Grievance Withdrawal**

At any time during the informal or formal resolution processes (see 4.1 and 4.2), the claimant may withdraw the complaint. However, even if the claimant decides to withdraw the grievance, the College reserves the right to investigate and take appropriate measures, if necessary, to protect the interests and safety of the claimant and the community. If the claimant withdraws the complaint and refuses to cooperate, the likelihood of a meaningful conclusion is severely diminished.

### **3.8 Uncooperative Responding Party**

If the responding party leaves the College or refuses to cooperate with the investigation, the investigation may proceed in their absence and may reach a finding based on the evidence available.

## **4. GRIEVANCES AND RESOLUTION**

### **4.1 Informal Dispute Resolution**

To resolve a dispute informally, a student or employee may first seek advice from their supervisor, department head, or their senior staff member. The Director of Human Resources (typically for staff), the Provost and Dean of the Faculty (typically for faculty), and the Dean of Students (typically for students) are other good sources for advice. An informal resolution can involve a directed conversation, mediation, and/or advice about how to resolve the problem.

- Mediation is clearly inappropriate for certain serious behaviors and incidents, such as sexual assault, sexual misconduct, sexual harassment, and discrimination. The College must take decisive action, including a thorough investigation, immediately when it becomes aware of such complaints.
- If a claimant chooses to forego the informal process or if the informal resolution process proves unsuccessful or if the claimant is dissatisfied with the informal process, the claimant may file a formal complaint with the Director of Human Resources (for staff), the Provost and Dean of the Faculty (for faculty), the Dean of Students (for students) or the Title IX Administrator (Julia Dunn, Associate Dean of Students and Title IX Administrator, Memorial Building 330, Whitman College, (509) 524-2049, [dunnjl@whitman.edu](mailto:dunnjl@whitman.edu)) for grievances involving sex- or gender-based

harassment, discrimination, and violence.

## 4.2 Formal Grievance

Grievances can be submitted in oral or written form. The grievance statement should describe the alleged incident, where and when it occurred, and include any supporting materials. Unless this is a case where an informal resolution is not appropriate, the claimant will be asked about the details of the informal efforts they have made to resolve the issue(s). Please note that when the College has received notice of an incident of sexual harassment, misconduct, or discrimination, the Title IX Administrator may initiate an investigation without a formal grievance. The formal grievance process is outlined in a flowchart in Appendix A (for faculty) and Appendix B (for non-faculty employees), and Appendix C (for students).

- When a formal grievance is received, the appropriate senior staff member or their designee will be notified: the Dean of Students for incidents involving students, the Provost for incidents involving faculty, and the Director of Human Resources for incidents involving all other employees.

## 4.3 Oversight

For the purposes of this policy, the term “Investigative Administrator” will designate the person who will oversee a grievance investigation.

- For incidents involving sex- or gender-based grievances, the Title IX Administrator (Julia Dunn, Memorial Building 330, Whitman College, (509) 524-2049, [dunnjl@whitman.edu](mailto:dunnjl@whitman.edu)) will oversee any investigation on behalf of the College. For additional information see sections 1.6 and 1.7.
- For incidents involving disability-based grievances, the 504 Administrator (Julia Dunn, Memorial Building 330, Whitman College, (509) 527-5158, [dunnjl@whitman.edu](mailto:dunnjl@whitman.edu)) will oversee any investigation on behalf of the College. For additional information see sections 1.8.
- For all other grievances, the appropriate senior staff member or their designee will oversee the investigation on behalf of the College: for students, the Student Conduct Administrator; for staff the Director of Human Resources, or for faculty, the Provost and Dean of the Faculty.

For the purposes of this policy, the term “Investigative Review Committee” will designate a person or committee of people who will review any investigation to determine that it was thorough, reliable, fair, and impartial.

- For student respondents, the Investigative Review Committee will be the Office of the Dean of Students.
- For non-faculty employees, the Investigative Review Committee will be the Employee Relations Council. The Employee Relations Council (ERC) consists of the Assistant Director of Human Resources, who serves as ex-officio Chair, two staff members with supervisory authority, two non-supervisory staff members, and two faculty members (tenured or non-tenured). When an ERC review becomes necessary, the Chair will select and preside over a hearing panel consisting of three council members, two of whom will be from the staff and one from the faculty. The hearing panel shall be gender balanced and receive training in Title IX and other college policies.
- For faculty employees, the Investigative Review Committee will be a gender-balanced committee of four members, whose makeup will consist of the three Division Chairs plus a fourth member. The fourth member will be the Division Chair of the appropriate gender whose term has most recently expired. If necessary, in order to account for possible recusal due to an appearance of impropriety, and to ensure gender balance, the Investigative Review Committee will be modified by either removing the appropriate least-senior member of the committee, and/or adding previous

Division Chairs of the appropriate gender whose terms have most recently expired.

#### 4.4 Gatekeeping

The Investigative Administrator will:

1. Determine the identities and contact information of the claimant and responding party.
2. Conduct an immediate preliminary inquiry to determine:
  - a. Whether the complaining party is willing to engage in the investigation process and allow their identity to be known to the responding party.
  - b. Whether or not the alleged behavior suggest increased or ongoing harm to the claimant or other members of the College community.
  - c. Necessary remedial interim actions and accommodations for the claimant.
3. Based upon information obtained in the preliminary inquiry, the Investigative Administrator will determine if there is enough evidence to proceed with a comprehensive investigation.
  - a. If the preliminary inquiry does not yield enough evidence to warrant an investigation, the claimant will be notified and the case will be closed.
  - b. If there is evidence to warrant an investigation, the Investigative Administrator will notify both parties, review the allegations with the responding party, and assign an investigator or investigators to conduct a thorough, reliable, and impartial investigation. Whenever possible, the Investigative Administrator will assign a team of investigators.
4. Assist parties in identifying an adviser; for cases involving sex- or gender-based behaviors, advisers recommended by the Title IX Administrator will have received training in the policy and procedures (see 4.5 Advisers).
5. Review the information related to the grievance allegation in order to initiate appropriate response.
6. Provide appropriate remedies or short-term interim measures as necessary throughout the investigation process for both parties.<sup>8</sup>

#### 4.5 Role of Adviser

The claimant and responding party have the right to have an adviser who will support them as they go through the investigation and adjudication process and prepare for the hearing if necessary.

- Claimant and responding party may select an adviser of their own choosing.
  - To provide support and guidance during the process, the Investigative Administrator will recommend faculty or staff members who are trained and qualified to advise the parties involved based on their knowledge of the process; because of potential conflict of interests, the Whitman College Counseling and Health Center staff are not eligible to serve as advisers.
  - Parties may choose to have no adviser, or they may choose an adviser other than one that is recommended by the Investigative Administrator.
- The adviser's role is to provide support and to give advice based on their knowledge of the College process.
- Advisers must not have a conflict of interest with either party or with the investigation itself. The appropriate senior staff member will determine whether a conflict exists.
- An adviser may resign their role as adviser at any point without penalty to either the adviser or the party they advise.
- Advisers may not interrupt or interfere with the investigation or adjudication process.
  - Advisers cannot actively participate, ask questions, or cross-examine during a hearing, but they may communicate with their party during a hearing so long as the consultation does not disrupt the proceedings.

- Parties may elect to have their legal counsel serve as their adviser but the legal counsel’s role is limited to that of an adviser only. Legal counsel serving as an adviser may not actively represent the party in hearing and appeal proceedings.
- Advisers may not contact any voting members of the Investigative Review Committee or Sanctioning Board, (except the Chair, as described below), the other party, witnesses, or the adviser for the other party regarding the case.
- Advisers may contact the Investigative Administrator for clarification on procedural matters.<sup>9</sup>
- Advisers may contact the Chair of the Investigative Review Committee or Sanctioning Board in order to receive clarification on procedural matters.
- Before committing to advising, potential advisers may request access to all available evidence and reports to which their party has access. Once they have agreed to serve as an adviser, they will continue to have access to new evidence and reports at the discretion of the party they are advising.
- An adviser may request a break during any hearing or interviews.

#### **4.6 Investigation Procedure**

Whitman College respects the human dignity of all members of our community. The College believes in and provides a fundamentally fair process when responding to a civil rights allegation by engaging in an investigative model that is prompt, equitable, thorough, reliable, and impartial. A fair process for both the claimant and the responding party is created by ensuring that both parties are:

1. Given comprehensive notice of the allegations,
2. Provided an opportunity to present and respond to all evidence and witnesses throughout the investigative process, and
3. Provided notice of the outcome of the investigation and any subsequent sanctions and/or remedies.

**For all grievances the Investigative Administrator (see 4.3), in consultation with the investigator or team of investigators, will:**

1. Consult with the claimant to determine what interim actions are warranted.
2. Identify potential policy violations, key issues, and the scope of investigation in order to develop the investigation strategy and outline a proposed timeline.

Either party may choose not to participate in the investigation (see 3.7 and 3.8); however, the investigation will proceed as necessary and the finding will be based on all the available evidence. The non-participating party will retain all rights in the process, but no appeals may then be based upon the failure of the non-participating party to provide information to the investigation, which was available at the time of the investigation.

Once the investigators have interviewed the claimant, the responding party, and any witnesses and have evaluated and weighed the available evidence, they will review their investigation with the Investigative Administrator who will determine if the investigation material represents a thorough, reliable, and impartial investigation. The Investigative Administrator will then provide the approval for the investigators to write an investigative report based on the factual evidence gathered and analyze the evidence to determine, by the preponderance of evidence (“more likely than not”) standard, that the responding party is either responsible or not responsible for the alleged policy violation(s). If the responding party is found responsible, the investigation report will also include a recommended range of sanctions that will stop the behavior, prevent its recurrence, and remedy the situation for the claimant and the community.

#### 4.7 Post-Investigation Procedures

1. The Investigative Administrator will review the investigative report along with all information from the investigative file including, but not limited to, witness statements, communications, documents, and other evidence to verify that the investigation was thorough, reliable, fair, and impartial.
  - If the Investigative Administrator believes additional investigative measures are needed, they will send the investigative file back to the investigator(s) for further work.
  - If the Investigative Administrator determines that the investigation was conducted in a thorough, reliable, and impartial manner and consistent with the College's policies and procedures, they will send the investigative file along to the Investigative Review Committee.
2. The Investigative Review Committee (see 4.3) will review the investigative report along with the recommended range of sanctions and all information from the investigative file including, but not limited to, witness statements, communications, documents, and other evidence to verify that the investigation was thorough, reliable, fair, and impartial. The names of the claimant, responding party, and any witnesses, will be redacted from the report sent to the Investigative Review Committee but relevant power and departmental relationships will be noted in the report.
  - If the respondent has filed counter charges against the claimant, the IRC should review both investigative reports simultaneously. If the Investigative Review Committee believes additional investigative measures are needed, they will send the investigative file back to the investigator(s) for further work.
  - If the Investigative Review Committee upholds the Investigative Administrator's determination that the investigation was conducted in a thorough, reliable, and impartial manner and consistent with the College's policies and procedures, appointments will be set with both the claimant and responding party to share the findings and recommended range of sanctions.
3. The appropriate senior staff member, the Investigative Administrator, and the investigator(s) will meet with each party separately to share the findings of the investigation.
  - The investigator(s) will walk each party through their investigation in detail including what they learned from each party, from the witnesses, and from the evidence provided, and will outline the process they used to weigh all the materials (statements, evidence, etc.), their analysis, and their final finding and recommended range of sanctions.
4. If the responding party is found not responsible, the case is closed; either party may appeal this decision (see 4.9).
5. If the responding party is found responsible, the case is moved along for sanctioning (see 4.8).
  - If the recommended range of sanctions does not include separation from the College (expulsion, suspension, termination, or dismissal), the procedures outlined in 4.8.a will be followed.
  - If the recommended range of sanctions does include separation from the College (expulsion, suspension, termination, or dismissal), the procedures outlined in 4.8.b will be followed.

#### 4.8 Sanctions & Sanctioning Panels

##### Students

The sanctions may include:

- Suspended conduct probation. Under suspended conduct probation, any further violation could result in conduct probation or a more severe penalty.
- Conduct probation. Conduct probation may prohibit student participation in campus activities, such as extra-curricular activities, public performances, public office in student organizations, or participation in commencement or other official ceremonies. If the student does not comply



- with the terms of conduct probation, other sanctions may apply.
- Suspension from the College, with reinstatement dependent upon the fulfillment of stipulated conditions.
- Dismissal from the College.
- Sanctions may also include written warnings, mandatory participation in educational programs, restitution, or other actions appropriate to the offense.

**Employees**

Sanctions may include:

- Oral or written reprimand
- Transfer to a different area or other work restrictions
- Required training
- Demotion or reduction in pay
- Probation, restitution, or other actions appropriate to the offense
- Separation from the College

**Sanctions related to behavior involving sex or gender harassment, discrimination, or misconduct must act to end the behavior, prevent its recurrence, and remedy its effect on the claimant and the community.**

- a. For instances that **do not** involve separation from the College, the appropriate senior staff member (see 4.2) will determine the final sanction.
- b. For instances that **do** involve a recommended range of sanctions that does include separation from the College, the process noted below will determine the sanction.

**i. For students**

The Council on Student Affairs is the official body delegated to decide sanctions when suspension or dismissal is within the recommended range of sanctions.

The Council on Sexual Misconduct is a sanctioning board made up of members of the Council on Student Affairs convened for matters involving sex- or gender-based behaviors. The Dean of Students chairs the Council on Sexual Misconduct but does not vote. The Dean of Students moderates the proceedings and ensures that policy is followed. The Dean of Students will choose two students<sup>10</sup> and two faculty members from the Council on Student Affairs and two non-entry level staff members at the College. The Council must be gender balanced.

All participants on the Council on Sexual Misconduct must satisfactorily complete the College's annual council training.

If not enough faculty and/or student members of the Council on Student Affairs are able to serve, the Dean of Students will choose replacement faculty and student members who have previously been trained.

**ii. For faculty**

The procedures specified in the Faculty Code (Chapter 1, Article III, Section 5), shall be followed.

### iii. For non-faculty employees

The appropriate senior staff member for non-faculty employees who are found responsible for a policy violation will determine the final sanction based on the investigation report, finding, and recommended range of sanctions.

## 4.9 Appeal Process

Either the claimant or the responding party may make an appeal request following the final determination (when the College deems the case closed). Appeals are not to be considered as “seeking a second opinion,” rather, they are intended to allow the College to reconsider elements that may have impacted the original decision sufficient to impact the outcome of that decision. See the Faculty Code for appeal processes relative to faculty dismissal.

- The appeal, accompanied by a detailed description of the information supporting the specific appeal category, must be submitted in writing to the Chair of the Faculty within five (5) working days after being informed of the outcome.
- The appeal must be based on the following, and only the following criteria:
  1. New evidence unknown or unknowable at the time of the investigation that may substantially alter the outcome, or
  2. Substantial procedural error(s) that may alter the outcome, and/or
  3. The sanctions imposed fall outside the recommended range of sanctions.
- Appeal requests based solely on a person’s disagreement with the outcome of the investigation, a sanction-decision, or the outcome of the hearing does not meet the criteria for an appeal.
- All sanctions imposed will be in effect during the appeal process including, but not limited to suspension, removal from campus, or continued no-contact directives.
- The Chair of the Faculty, to whom the appeal is made, will act on the petition in one of three ways:
  1. May decide to consider the appeal and then rule
  2. May form a panel to review the appeal, or
  3. May reject the appeal request.
- The Chair of the Faculty is the appellate officer for the College in all grievance matters. If the Chair of the Faculty feels they cannot be impartial or if the Chair of the Faculty has an immediate interest in a particular case, they will recuse themselves from the appeal and the most recent, and available, past-Chair will serve as the appellate officer.
- The Chair of the Faculty, in their role as appellate officer, may have access to the investigative report and any other materials related to the case in order to respond appropriately.
- Once an appeal request is considered appropriate for consideration, the other party and the Investigation team will be provided with a copy of that request and may submit information or a rebuttal (or, in the case of the other party – their own appeal) to the appeal request to be considered by the appellate officer.

## 4.10 Timeline Estimates for Formal Process

The summary below is meant to provide a rough timeline of what to expect when moving through the reporting, investigation, and resolution process. Investigations will be conducted in reasonably prompt timeframes with a goal for resolution being 60 days from the initial report to the end of the sanctioning process. Certain issues such as the point in the semester when the incident is reported may result in

prolonged investigations. For example, conducting interviews during breaks may be more challenging as students, faculty, or staff may be away. Every effort will be made to find resolution within the 60 day time frame. Should the incident also be being investigated by local law enforcement, the campus process need not wait for the outcome of the criminal justice system process before making a final determination.

### **Safety Precautions**

For grievances involving harassment, discrimination, or violence, Whitman College will take **immediate** interim measures to ensure the safety of the individual and campus community. Likewise, the College will take steps to offer the claimant interim options for support and remedy. These may include things such as issuing a timely warning statement or no-contact orders, offering a change of housing, offering counseling services, etc.

### **Investigations**

The length of the investigation will vary widely based on the situation. Investigations will involve meeting with the individuals involved, taking statements, reviewing and gathering any other evidence (documentary, physical, etc.), talking with witnesses, collaborating statements, meeting with college personnel, etc. This process will start **immediately** upon receiving a complaint. The College's goal is to be extremely thorough in gathering information so this process may take several weeks.

### **Sanctioning Hearing**

For students, hearings will be scheduled providing at least a **two-day notice**. This will allow the responding party time to review the investigative summary and prepare their statement.

### **Notification of Outcome**

Once a sanction has been finalized, the appropriate senior staff member will notify the claimant and the responding party of the outcome either in person or in writing within **two working days**.

### **Appeals**

Appeals must be submitted in writing **within five (5) working days** of notification of outcome. Ideally, the Chair of the Faculty will decide **within three (3) working days** of an appeal request if the appeal will be considered. If an appeal request is granted, the other party and the Investigation team will be provided with a copy of that request and may submit information or a rebuttal (or, in the case of the other party – their own appeal) to the appeal request to be considered by the appellate officer **within five (5) working days**. Both the claimant and the responding party have one appeal opportunity.

### **Notification of Appeal Outcome**

Once a determination is made, the Appellate Officer will notify the claimant and the responding party of the outcome either in person or in writing within **two working days**.

## **5. RIGHTS OF THE CLAIMANT AND RESPONDING PARTY**

Whitman College supports the following rights of claimants and responding party:

- Individuals have a right to file a complaint with the police or other agencies; the College will provide assistance reporting to law enforcement officials or other appropriate resources if they wish to take legal action off campus.
- Persons involved in a grievance process have the right to a prompt investigation and resolution of the complaint.
- The claimant and responding party have the right to have an adviser who will help them as they go

- through the investigation and adjudication process and prepare for the hearing if necessary.
- ❑ Individuals have a right to a safe environment – the College will take whatever measures it deems reasonable and feasible to protect the safety of the campus community.
  - ❑ Persons involved in a grievance process will be treated with dignity, respect, and fairness.
  - ❑ Persons involved in a grievance process have a right to fair and impartial investigation and adjudication procedures, including academic due process.
  - ❑ The College will treat all complaints seriously and will impartially investigate allegations of misconduct or policy violation.
  - ❑ Employees and students involved in a complaint will have full access to campus services designed to assist in such cases, including, but not limited to the Dean of Students Office, Human Resources, the Victim’s Advocate (for instances of sex- or gender-based harassment, discrimination, or violence), the Provost and Dean of the Faculty Office. Students also have access to the Counseling Center and Health Center.
  - ❑ The College respects the privacy of claimants and responding party. Information gathered in an investigation will not be disclosed to others who do not have a legitimate need to know.
  - ❑ Individuals may consult an attorney; however, the College’s investigations, hearings, and appeal processes are not intended to parallel courtroom proceedings.
  - ❑ The College will not tolerate any form of harassment, retaliation, and/or intimidation of the claimant or the responding party, or of those supporting either party. Any retaliatory action taken against a claimant or responding party or against their friends, acquaintances, or other persons cooperating in a college investigation is a violation of college policy.

**Students or Employees** who believe their complaint of harassment or discrimination has not been adequately addressed through the College’s grievance process may submit a grievance to either the Washington State Department of Labor and Industries, the Equal Employment Opportunity Commission, or the Office for Civil Rights.

**The Office for Civil Rights**

Seattle Office  
915 Second Ave., Room 3310  
Seattle, WA 98174-1099  
(206) 607-1600  
OCR.Seattle@ed.gov

**Washington State Dept.  
of Labor and Industries**

P.O. Box 44000  
Olympia, WA 98504-4000  
(866) 219-7321

**Equal Employment Opportunity Commission**

Federal Office Building  
909 First Avenue  
Suite 400  
Seattle, WA 98104-1061  
(800) 669-4000

<sup>1</sup>Students are defined as those who are enrolled in at least one credit.

<sup>2</sup>The Faculty shall consist of the President of the College and the members of the instructional staff who hold the title of Dean, Professor, Associate Professor, Assistant Professor, Professor, or Non-tenured Assistant Professor, Associate Professor, or Professor of Forensics, Senior Lecturer, Senior Adjunct Assistant Professor, Visiting Professor, Lecturer, Music Assistant, Adjunct Assistant Professor and Adjunct Instructor.

<sup>3</sup>All other employees are defined as anyone paid for work by the College, including regular, on-call, full-time, part-time, and temporarily-employed persons.

<sup>4</sup>Whitman College uses the term “claimant” to identify the individual bringing forth a grievance.

<sup>5</sup>For faculty employees, the Investigative Review Committee will be comprised of the three Division Chairs plus a fourth member to form a gender-balanced committee. The fourth member will be the Division Chair of the appropriate gender whose term has most recently expired. If necessary, in order to account for possible recusal due to an appearance of conflict of interest, and to ensure gender balance, this group will be modified by either removing the appropriate least-senior member of the committee and/or by adding previous Division Chairs until the appropriate gender balance is struck. The additional member will be the most recently serving member of the Division Chairs. For non-faculty employees, the Employee Relations Committee will constitute the Investigative Review Committee. For students, the Office of the Dean of Students will constitute the Investigative Review Committee.

<sup>6</sup>The Sanctioning Board for students is the Council on Student Affairs, or for sex- or gender-based incidents, the Council on Sexual Misconduct, which is made up of a subset of members from the Council on Student Affairs as well as two non-entry level staff members to achieve gender balance. For faculty, the Sanctioning Board is the Faculty Personnel Committee as outlined in the Faculty Code.

<sup>7</sup>NCHERM: *The 2011 NCHERM Campus Title IX Coordinator and Certification and Training Course Materials*. Used with permission.

<sup>8</sup>Examples of remedial short-term actions and relief might include no-contact directives, a change in housing, work shifts, interim suspension, or academic adjustments.

<sup>9</sup>Procedural matters are those outlined in this policy.

<sup>10</sup>Either party retains the right to veto having students serving on the hearing panel. If either party elects to have a panel without students, the Dean of Students will replace the students with one faculty member and one staff member.

## **Sex Offender Registration**

The "Campus Sex Crimes Prevention Act" (section 1601 of Public Law 106-386) is a federal law enacted on October 28, 2000 that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus. It was sponsored by U.S. Senator Jon Kyl of Arizona and supported by Security On Campus, Inc.

The Act amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act to require sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student. Requires that state procedures ensure that this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate State records or data systems. These changes took effect October 28, 2002. These requirements are tied to state eligibility for certain types of federal grant funding and must be implemented through state law.

It also amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to require institutions of higher education to issue a statement, in addition to other disclosures required under

that Act, advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. These changes took effect October 28, 2002.

Lastly the Act amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in that Act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders; and requires the Secretary of Education to take appropriate steps to notify educational institutions that disclosure of this information is permitted. This amendment took effect on October 28, 2000.

Information about registered sex offenders is available from the Washington State Sex Offender Information Center. The URL for this site is: <http://ml.waspc.org/>. This site allows you to search for registered sexual offenders by county, city, zip code, offender's last name, or type of conviction. To review a listing of sex offenders registered in the city of Walla Walla, select city from the pull down menu and type in Walla Walla.

### **Daily Crime Log**

A daily crime log has been created for the purpose of recording all alleged criminal incidents that are reported to Whitman Security Officers. The daily crime log includes the nature of the crime, the date/time the crime occurred, the date/time crime was reported, the general location of the crime, and the disposition of the crime. Crimes are logged in the order they are received by Security. The daily crime log is available on the web at <http://dailysecuritylog.wordpress.com/>.

### **Crime Statistics**

Every college and university receiving Title IV funds must disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities including Greek housing and remote classrooms. The statistics must be gathered from campus security, local law enforcement, and other school officials who have "significant responsibility for student and campus activities" such as a student conduct administrator. Whitman College does not have a written policy which requires psychological and pastoral counselors to inform their clients of the procedures to report crime to Security Officers and/or local law enforcement. However, medical and mental health practitioners and ecclesiastical leaders excluded from reporting can contribute to anonymous, aggregate data collection.

Crimes are reported in the following 8 major categories, with several sub-categories:

- 1.) Criminal Homicide broken down by a.) Murder and Non-negligent Manslaughter and b.) Negligent manslaughter;
- 2.) \*Sex Offenses broken down by a.) Forcible Sex Offenses (includes rape) and b.) Non-forcible Sex Offenses (statutory rape and incest);
- 3.) Robbery;
- 4.) Aggravated Assault;
- 5.) Burglary;
- 6.) Motor Vehicle Theft;
- 7.) Arson;
- 8.) Hate Crimes.

\*NOTE: For a thorough explanation of the Clery forcible and non-forcible crime statistics click go to

<https://www.whitman.edu/dean-of-students/sexual-misconduct-policy-and-title-ix/sexual-misconduct-prevention-and-response-network/understanding-the-clery-act-sex-crime-statistics>

Colleges and universities are also required to report the following three types of incidents if they result in either an arrest or disciplinary referral: 1.) Liquor Law Violations; 2.) Drug Law Violations; and 3.) Illegal Weapons Possession. If both an arrest and referral are made only the arrest is counted.

The statistics are also broken down geographically into on campus, on-campus student residential facilities, non-campus buildings and property, or on public property such as streets and sidewalks. Listed below are the Whitman College crime statistics for the most recent 3-year period including 2014, 2013 and 2012.

### Crime Statistics for 2014, 2013 and 2012

**OC**=On-campus

**OCRH\*\***=On-campus residence halls

**NCP**=Non-campus property

**PP**=Public property;

|                                     | 2014<br>OC | 2014<br>OCRH | 2014<br>NCP | 2014<br>PP | 2013<br>OC | 2013<br>OCRH | 2013<br>NCP | 2013<br>PP | 2012<br>OC | 2012<br>OCRH | 2012<br>NCP | 2012<br>PP |
|-------------------------------------|------------|--------------|-------------|------------|------------|--------------|-------------|------------|------------|--------------|-------------|------------|
| <b>Criminal Homicide:</b>           |            |              |             |            |            |              |             |            |            |              |             |            |
| ~Murder/Non-Negligent Manslaughter  | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          |
| ~Negligent Manslaughter             | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          |
| <b>**Forcible Sex Offenses:</b>     |            |              |             |            |            |              |             |            |            |              |             |            |
| ~Forcible Rape                      | 4          | 4            | 1           | 0          | 5          | 5            | 1           | 0          | 1          | 1            | 0           | 0          |
| ~Forcible Sodomy                    | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          |
| ~Sexual Assault with a weapon       | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          |
| ~Forced Fondling                    | 2          | 2            | 0           | 0          | 1          | 1            | 0           | 0          | 2          | 1            | 1           | 0          |
| <b>**Non-Forcible Sex Offenses:</b> |            |              |             |            |            |              |             |            |            |              |             |            |
| ~Statutory Rape                     | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          |
| ~Incest                             | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          |
| <b>Robbery:</b>                     | 0          | 0            | 0           | 1          | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          |
| <b>Aggravated Assault:</b>          | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          |
| <b>Burglary:</b>                    | 1          | 1            | 2           | 0          | 2          | 1            | 0           | 0          | 3          | 1            | 0           | 0          |
| <b>Motor Vehicle Theft:</b>         | 0          | 0            | 0           | 0          | 1          | 1            | 0           | 0          | 0          | 0            | 0           | 0          |
| <b>Arson:</b>                       | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          |
| <b>Hate Crimes:</b>                 | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          | 0          | 0            | 0           | 0          |

Alcohol Violations:

|            |    |    |   |   |    |    |   |   |    |    |   |   |
|------------|----|----|---|---|----|----|---|---|----|----|---|---|
| ~Arrests   | 0  | 0  | 0 | 0 | 0  | 0  | 0 | 0 | 1  | 0  | 0 | 0 |
| ~Referrals | 49 | 47 | 2 | 0 | 31 | 28 | 0 | 1 | 31 | 27 | 8 | 1 |

Drug Violations:

|            |    |    |   |   |    |    |   |   |    |    |   |   |
|------------|----|----|---|---|----|----|---|---|----|----|---|---|
| ~Arrests   | 0  | 0  | 0 | 0 | 0  | 0  | 0 | 0 | 0  | 0  | 0 | 0 |
| ~Referrals | 52 | 36 | 0 | 5 | 29 | 22 | 0 | 0 | 40 | 33 | 0 | 0 |

Weapon Violations

|            |   |   |   |   |   |   |   |   |   |   |   |   |
|------------|---|---|---|---|---|---|---|---|---|---|---|---|
| ~Arrests   | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| ~Referrals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |

\*\*On-campus residence halls is not a ‘unique’ reporting category of incidents. The numbers in this category reflects that number of on-campus incidents that occurred in a residence hall.

The Clery Annual Security Report does not require institutions to disclose incidents that occur off-campus, however, in order to provide the Whitman community with important safety information we wish to notify you that the following off-campus sex offenses were reported to the college:

- 2014--5 incidents of forcible rape, 2 incidents of forced fondling
- 2013--3 incidents of forcible rape, 1 incident of forced fondling
- 2012--2 incidents of forcible rape

**Violence Against Women Act/Campus SaVE Act Incident Report:**

- *Stalking:* An employee engaged in harassing behavior with another employee that involved stalking behavior. The incident was reported, investigated and resolved.
- *Dating Violence:* An employee engaged in harassing behavior with another employee of a sexual nature that involved dating violence. The incident was reported, investigated and resolved.
- *Dating Violence:* A student reported an on-going relationship with another student that consisted of controlling and manipulative behaviors. The incident was reported, investigated and resolved.
- *Domestic Violence:* No incidents reported in 2014.

**Annual Fire Safety Report**  
**Whitman College**  
**October 1, 2015**



The Higher Education Opportunity Act, enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution.

**2014, 2013, and 2012 statistics for on-campus student housing facilities:**

| <b>2014 Fire Reports</b>        | <b>Total Fires at this Location</b> | <b>Fire Number</b> | <b>Cause of Fire</b> | <b>Number of Injuries Requiring Medical Treatment at a Treatment Facility</b> | <b>Number of Deaths Related to Fire</b> | <b>Monetary Value of Property Damage</b> |
|---------------------------------|-------------------------------------|--------------------|----------------------|---|---|--|
| Anderson Hall                   | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Asian Studies Interest House    | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| College House                   | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Community Service House         | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Douglas Hall                    | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Environmental Interest House    | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Fine Arts House                 | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| French House                    | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| German Interest House           | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Global Awareness Interest House | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Jewett Hall                     | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| La Casa Hispana Interest House  | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Lyman House                     | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Marcus House                    | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Mecca - Multi Ethnic House      | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Phi Delta Theta                 | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Prentiss Hall                   | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Reid Campus Center              | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Sigma Chi                       | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Tamarac House                   | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Tekisuijuku Interest House      | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Writing Interest House          | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |

| <b>2013 Fire Reports</b>     | <b>Total Fires at this Location</b> | <b>Fire Number</b> | <b>Cause of Fire</b> | <b>Number of Injuries Requiring Medical Treatment at a Treatment Facility</b> | <b>Number of Deaths Related to Fire</b> | <b>Monetary Value of Property Damage</b> |
|------------------------------|-------------------------------------|--------------------|----------------------|---|---|--|
| Anderson Hall                | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Asian Studies Interest House | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| College House                | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Community Service House      | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Douglas Hall                 | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |
| Environmental Interest House | 0                                   | 0                  | N/A                  | N/A   | N/A                                     | N/A                                      |

|                                 |   |   |     |     |     |     |
|---------------------------------|---|---|-----|-----|-----|-----|
| Fine Arts House                 | 0 | 0 | N/A | N/A | N/A | N/A |
| French House                    | 0 | 0 | N/A | N/A | N/A | N/A |
| German Interest House           | 0 | 0 | N/A | N/A | N/A | N/A |
| Global Awareness Interest House | 0 | 0 | N/A | N/A | N/A | N/A |
| Jewett Hall                     | 0 | 0 | N/A | N/A | N/A | N/A |
| La Casa Hispana Interest House  | 0 | 0 | N/A | N/A | N/A | N/A |
| Lyman House                     | 0 | 0 | N/A | N/A | N/A | N/A |
| Marcus House                    | 0 | 0 | N/A | N/A | N/A | N/A |
| Mecca - Multi Ethnic House      | 0 | 0 | N/A | N/A | N/A | N/A |
| Phi Delta Theta                 | 0 | 0 | N/A | N/A | N/A | N/A |
| Prentiss Hall                   | 0 | 0 | N/A | N/A | N/A | N/A |
| Reid Campus Center              | 0 | 0 | N/A | N/A | N/A | N/A |
| Sigma Chi                       | 0 | 0 | N/A | N/A | N/A | N/A |
| Tamarac House                   | 0 | 0 | N/A | N/A | N/A | N/A |
| Tekisuijuku Interest House      | 0 | 0 | N/A | N/A | N/A | N/A |
| Writing Interest House          | 0 | 0 | N/A | N/A | N/A | N/A |

| <b>2012 Fire Reports</b>        | <b>Total Fires at this Location</b> | <b>Fire Number</b> | <b>Cause of Fire</b>                        | <b>Number of Injuries Requiring Medical Treatment at a Treatment Facility</b> | <b>Number of Deaths Related to Fire</b> | <b>Monetary Value of Property Damage</b> |
|---------------------------------|-------------------------------------|--------------------|---|---|---|--|
| Anderson Hall                   | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| Asian Studies Interest House    | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| College House                   | 1                                   | 1                  | Result of unintentional action: Open Flames | 1   | 0                                       | \$0.00                                   |
| Community Service House         | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| Douglas Hall                    | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| Environmental Interest House    | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| Fine Arts House                 | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| French House                    | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| German Interest House           | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| Global Awareness Interest House | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| Jewett Hall                     | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| La Casa Hispana Interest House  | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| Lyman House                     | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| Marcus House                    | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| Mecca - Multi Ethnic House      | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| Phi Delta Theta                 | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| Prentiss Hall                   | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |
| Reid Campus Center              | 0                                   | 0                  | N/A   | N/A   | N/A                                     | N/A                                      |

|                            |   |   |     |     |     |     |
|----------------------------|---|---|-----|-----|-----|-----|
| Sigma Chi                  | 0 | 0 | N/A | N/A | N/A | N/A |
| Tamarac House              | 0 | 0 | N/A | N/A | N/A | N/A |
| Tekisuijuku Interest House | 0 | 0 | N/A | N/A | N/A | N/A |
| Writing Interest House     | 0 | 0 | N/A | N/A | N/A | N/A |

### How to Report a Fire:

If a fire does occur, call:

- 911 for emergency fire and medical services**
- (509)527-1960 for non-emergency dispatch services**
- (509)527-5777 for Whitman Security**

\*All fires shall be reported to the Office of Residence Life and the College Security Department.

### Description of on-campus student housing fire safety systems:

- Each building has at least one fire pull station on every floor.
- Every residence hall has a fire evacuation route posted on each floor.
- All residence halls are equipped with emergency exit doors.
- All residence hall rooms and interest house rooms are equipped with battery operated smoke detectors.
- All residence halls have hard wired smoke detectors, with battery back-up, including the hallways and general living areas.
- All residence halls are equipped with fire suppression systems, except for Tamarac House.
- Each building is equipped with at least one fire extinguisher per floor.
- Every college residence is equipped with fire extinguishers.

### Fire evacuation procedures when the alarm sounds:

1. Close the door when leaving to prevent fire and smoke from spreading.
2. Proceed quietly to your exit route and out of the nearest exit door.
3. Walk swiftly. **DO NOT RUN OR PUSH.**
4. After leaving the building, move to the front and away from the building.
5. Do not return to the building **FOR ANY REASON** until the all clear is given by the College staff.

### Number of regular mandatory supervised fire drills:

Each residence hall has one fire evacuation drill conducted and evaluated by the College Security Department, fall semester. In 2014 the Security Department conducted nine supervised fire drills at various residential facilities.

### Policies on portable electronic appliances, smoking, open flames, and other prohibited items.

#### On-campus housing facilities have prohibitions against the following activities:

1. Smoking
2. Using lighted candles, incense or other open flamed devices.
3. Cooking in unapproved areas (bedrooms) including use of toaster ovens, and other appliances with an open heating element. Microwaves are allowed.
4. Possession of space heaters.
5. Misuse of extension cords.
6. Tampering with or blocking any fire protection equipment.
7. Possession or use of fireworks.
8. Use of flammable cleaning fluids.

9. Storage of any flammable liquids in open or unsound containers.
10. Any decorating which involves excessive use of non-fire resistant materials.
11. Remaining in the building when then fire alarm sounds.
12. Removal of smoke detectors.

**Fire safety education and training programs for students, faculty, and staff:**

The College Security Department and/or Residence Life provide training to housing staff including Resident Assistants, Student Academic Advisors, and Resident Directors. The training includes information on fire protection features of facilities, fire prevention, emergency procedures, and conducting fire safety education for residents.

**Plans for future improvements in fire safety:**

Whitman College continually evaluates the fire protection system in residential facilities and throughout campus. Upgrades to the system occur through replacements and/or building renovations.

**Conclusion**

If you have questions about any of the information in the annual security report or the annual fire safety report, please contact Whitman Security at 509-527-5777.