



WHITMAN COLLEGE

# Annual Security Report & Annual Fire Safety Report

Originally Published September 29, 2021

Updated November 3, 2021

*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.

## Amendments to the 2021 Annual Security Report

We have published this second edition of our 2021 Annual Security Report, covering calendar years 2018, 2019, and 2020 to correct errors in crime data as well as add further detail on procedures for victims of sexual violence. These errors were investigated and corrected, with the amended version of the 2021 Annual Security Report published on November 3, 2021. A full list of changes is detailed in the 2021 Annual Security Report & Annual Fire Safety Report Changelog appended to this document.

## Disclosure of Crime Statistics

At the direction of the Vice President of Student Affairs and Dean of Students, the College's Director of Security, Title IX Coordinator, and the Environmental Health and Safety Manager 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 Assault Victim 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 alcohol, drugs, sexual misconduct and other matters.

The annual security report must be published and distributed to current students and employees by October 1 of each year. An email will be sent to current students and employees prior to October 1 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 at <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 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. Music Building—S.E. Corner
4. Prentiss Hall—Near Bridge in front of Prentiss Hall
5. North Hall—In yard in front of North Hall
6. Harper Joy- NW side next to sidewalk
7. Ankeny Field - North of Maxey West building

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. 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.

## 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.

Campus Security	(509) 527-5777	416 East Main
Vice President for Student Affairs/Dean of Students	(509) 526-3018	Memorial 325
Student Conduct Administrator	(509) 522-4403	Memorial 326

Title IX Administrator  
Associate Dean: Campus Life

(509) 524-2049  
(509) 527-5297

titleix@whitman.edu  
Memorial 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. All CSAs are notified on a yearly basis of this designation and responsibility. 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.
  - a. Intercultural Center Interns
  - b. Reid Campus Center Building Managers
  - c. Resident Assistants
  - d. Security Escorts
3. Individuals or officers specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
  - a. Vice President of Student Affairs/Dean of Students Office
  - b. Residence Life Office
  - c. Student Conduct Administrator
  - d. Title IX Administrator
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.
  - a. ASWC Club/Organization Advisers
  - b. Athletics Director
  - c. Coaches, Varsity & Club Sports
  - d. Debate Coaches
  - e. Greek Adviser
  - f. Intercultural Office Staff
  - g. Outdoor Program Staff
  - h. Student Activities Office Staff
  - i. Student Engagement Office Staff

## Voluntary Confidential Reporting

Faculty, staff and students at Whitman, as well as community members, may submit a confidential care report using our online reporting portal: Advocate. The [Advocate public reporting form \(http://whitman.edu/assist\)](http://whitman.edu/assist) allows a person to submit a confidential report in five areas:

- issues of general care/concern (eating disorders, substance abuse, mental health issues, etc.)
- campus policy violations (inappropriate access, academic dishonesty, etc.);
- campus incident (bias incident, hate crime, theft, etc.)
- academic or campus life concern (issues with a faculty member, concerns about office or department, etc.)
- sexual misconduct (inappropriate contact, sexual assault, dating and domestic violence, stalking)\*

\*Faculty, staff and some student leaders are responsible employees under Title IX. If they are reporting a sexual misconduct incident, they may not do so anonymously, unless they are reporting their own sexual misconduct incident.

## **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://whit.mn/dcl> and an incident in the College's conduct database: Advocate.

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, a designee from the Dean of Students Office or the Director of Security 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 it constitutes an ongoing or continuing threat in the judgment of the Vice President of Student Affairs/Dean of Students, a designee from the Dean of Students Office or the Director of Security. This warning will be issued by the Vice President of Student Affairs/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, and other campus facilities. 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 Provost/Dean of Faculty will assume the role, followed by any available member of the President's Cabinet.

When appropriate, the President or designee 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.

## *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 a mass notification system, which allows 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 emergency web page](http://emergency.whitman.edu) (<http://emergency.whitman.edu>). The content of any notifications will be the responsibility of the Public Information Officer or their designee in conjunction with the College President or their designee.

Information will be disseminated as quickly as possible, 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." Evacuation drills will be conducted at least four times per year in residence halls and twice a year in academic buildings. Drills in residence halls will be unannounced. Drills in academic or administrative buildings will be announced by providing the date of the drill. This notification is given in an effort to minimize disruption of classes.

The Emergency Response Plan will be reviewed after each emergency and at least once per year. The Environmental Health and Safety Department in cooperation with the Emergency Plan Leadership Team conducted at least one emergency exercise prior to campus shutting down due to COVID.

## **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, 416 E. Main St. WCTS Building, (509) 527-5777
- Associate Dean-Campus Life, Memorial Hall 130, (509) 527-5297
- Vice President of Student Affairs/Dean of Students, Memorial Hall 325, (509) 526-3018

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's 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 the 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, they 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 (RAs and RDs) 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 a formal 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**

### *Prior to COVID Shutdown*

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 without approval. 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 Dean of Students' Office, the Chief Financial Officer's Office and Facilities, who respond to reported safety/security issues.

### *Post-COVID Shutdown*

All buildings were closed to non-campus constituents and only accessible by swipe access.

## **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 persons 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 ongoing contact with the Washington State Police, the Sheriff's Department or the State Liquor and Cannabis Board. 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, new students attended 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. In the fall of 2020, the College remained fully online due to COVID and in-person orientation was suspended. Students completed online orientation modules through OnboardU (<http://orientation.whitman.edu>).

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.

## **Campus Policies**

These policies can be found in the [Whitman College Student Handbook](https://www.whitman.edu/dean-of-students/student-handbook/student-rights-and-responsibilities) (<https://www.whitman.edu/dean-of-students/student-handbook/student-rights-and-responsibilities>).

### *Alcohol*

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. Drinking alcoholic beverages and open containers of alcoholic beverages are prohibited in public places on the College campus or public areas in campus buildings.
2. 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.
3. No ASWC fees or residence hall fees may be used for the purchase of alcoholic beverages.
4. Students and student groups must avoid the direct or indirect sale of alcoholic beverages.
5. 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.
6. 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 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 any person to sell, give, or otherwise supply liquor to any person under the age of 21 years or permit any person under that age to consume liquor on his or her premises or on any premises under his or her control. It is unlawful for any person under the age of 21 years to possess, consume, or otherwise acquire any liquor except that given to them by their parents or guardian, used in connection with religious services, or administered by their physician or dentist for medicinal purposes. The supply of alcohol to, or the use of alcohol by, any person under the age of 21 years is a gross misdemeanor punishable by a fine of up to \$5,000 or imprisonment. A person under the age of 21 years acting in good faith who seeks medical assistance for him or herself or someone else experiencing alcohol poisoning, shall not be charged or prosecuted if the evidence for the charge was obtained as a result of the person seeking medical assistance.*

## *Drugs and 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 are present when deciding to use them. Many of these substances are physically or psychologically addicting; the composition or potential for lethality 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 experimentation or occasional user. For example, the courts may impose jail sentences and/or, fines and such actions and consequences may jeopardize one’s status with the college, as well as future employment opportunities. The college strongly believes that any use of controlled substances is antithetical to the growth and development of students and contrary to the mission of Whitman College.

Substance use and abuse can cause serious problems for students and the college will intervene when appropriate. Current information and personal assistance is available from the [Health Center](#). Personal counseling and referral to community resources are available in the [Counseling Center](#) and the Health Center, 11 Merriam Street, 509-527-5281.

### *Regulations Concerning Drugs*

Use, possession, sale or distribution of any illegal drug or controlled substance, or illegal use or distribution of a legal drug, including cannabis is a violation of college policy. Any student violating this policy, or the laws of the State of Washington, should be prepared to accept the consequences of their decision. The college reserves the right to pursue legal and/or its own disciplinary action should students violate the law or this policy. Whitman College may apply disciplinary procedures to students who abuse drugs or substances that are not illegal but may cause harm if misused. The college may apply disciplinary action to students who abuse these substances.

*Cannabis, while legal in small amounts for those 21 and over in the state of Washington (in private spaces), is a violation of the Drug Free Schools Act, and 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 Cascade Centers to provide an employee assistance program. As part of this employee assistance program, Cascade Centers 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 plans are provided with a chemical dependency treatment benefit (including both alcohol and drugs).

The Associate Dean of Students: Health and Wellness 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 <https://www.whitman.edu/dean-of-students/drug-free-schools-and-community-act>.

## **Dating Violence, Domestic Violence, Sexual Assault and Stalking Prevention and Reporting**

### *Sexual Violence Prevention and Awareness Programs*

During New Student Orientation students attend a session about Title IX, Consent and Sexual Violence. EverFi training covers issues of stalking, partner violence and sexual assault and ways to safely intervene in unsafe situations as well as a program on consent that reviews the definition of the sexual misconduct policy, the issue of consent and gives examples of how Whitman students ask each other for consent in intimate situations. 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. In the fall of 2020, the College remained fully online due to COVID and in-person orientation was suspended. Students completed online orientation modules through OnboardU (<http://orientation.whitman.edu>) and EverFi..

### *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:
  - a. Counseling Center –(509) 527-5195
  - b. Malia Lewis (SAVA) – (509) 526-3032 and [sava@ywcaww.org](mailto:sava@ywcaww.org).
  - c. YWCA—(509) 529-9922 (24 hour/7 days a week)
2. Seek medical attention as soon as possible.
  - a. Health Center—(509) 527-5185
  - b. Planned Parenthood—(509) 529-3570
  - c. St. Mary Medical Center—(509) 525-33203.
  - d. Title IX Coordinator—(509) 524-2049
  - e. Campus Security—(509) 527-5777
  - f. Walla Walla Police (emergency)—911
3. Investigate judicial/legal options
  - a. Vice President of Student Affairs/Dean of Students—(509) 526-3018
  - b. Title IX Coordinator—(509) 524-2049
  - c. Walla Walla Police (non-emergency)—(509) 527-1960

Whitman College provides students and employees with support, counseling, medical referrals, assistance with safety planning (including adjustment to class and work schedules and safe housing), and information concerning their rights.

Students and employees who have experienced an incident of sex- or gender-based harassment, discrimination or violence may seek confidential victim's advocacy support through the YWCA's on-campus advocate (Hunter 406, (509) 526-3032, [sava@ywcaww.org](mailto:sava@ywcaww.org)).

Students can also seek confidential support through the Counseling Center (509) 527-5195 or Health Center (509) 527-5295.

Additional confidential reporting sources for both students and employees are accessible off campus at the YWCA (213 First Street, (509) 525-2570, (509) 529-9922 (24-hour hotline number). Students can access resources and support through the Dean of Students Office (Memorial 325); employees can access resources and support through the Human Resources Office (Memorial 105).

Providence/St. Mary Medical Center offers a forensic exam 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 disclose an incident of sexual assault to the College, the Title IX Coordinator will meet with you to discuss your options. If you wish to report the incident to the Walla Walla Police Department, someone from the College 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 social worker, with expertise from the Walla Walla Police Department 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 8:00-3:00 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 victim's academic and/or living situation after an alleged sex offense, if those changes are requested by the victim and are reasonably available.

## **Title IX Sexual Harassment, Discrimination, And Sexual Misconduct Policy and Procedure**

### **Applies to: Faculty, Staff and Students**

For January through August 13, 2020, Title IX was incorporated into Whitman's [2019-20 Grievance Policy](https://www.whitman.edu/documents/Global/Policies/SA-Grievance-Policy.pdf) (<https://www.whitman.edu/documents/Global/Policies/SA-Grievance-Policy.pdf>). Whitman's Title IX policy was updated effective August 14, 2020. Sections relevant to the Clery Act are included here for reference; [the full policy](https://www.whitman.edu/documents/Global/Policies/Whitman-College-TitleIX-Policy.pdf) (<https://www.whitman.edu/documents/Global/Policies/Whitman-College-TitleIX-Policy.pdf>) is available online in the [Title IX section of our website](https://www.whitman.edu/campus-life/diversity/title-ix-and-sexual-misconduct) (<https://www.whitman.edu/campus-life/diversity/title-ix-and-sexual-misconduct>).

### **Part 1: Policy**

## **A. Scope of Policy**

The purpose of this policy is the prohibition of sexual harassment, sexual misconduct and retaliation. When an alleged violation of this policy is reported, those allegations are subject to review and resolution using the college's grievance process related to this policy. When the respondent is a member of the Whitman community this grievance process will be available regardless of the status of the complainant, who may or may not be a member of the Whitman community. The Whitman community includes students (including dual enrolled students), student organizations, faculty, administrators, staff and third parties such as guests, visitors, volunteers, invitees and campers.

The grievance procedures may be applied to incidents, patterns of behavior and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy.

## **F. Supportive Measures**

The college will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged sexual harassment and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the college's education program or activity, including measures designed to protect the safety of all parties or the college's educational environment, and/or deter sexual harassment and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, the college will inform the complainant, in writing, that they may file a formal complaint with the college either at that time or in the future, if they have not done so already.

The Title IX Coordinator works with the complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

The college will maintain the privacy of the supportive measures, provided that privacy does not impair the college's ability to provide the supportive measures. The college will act to ensure as minimal an academic or occupational impact on the parties as possible.

The college will implement measures in a way that does not unreasonably burden the other party. These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Student financial aid counseling
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments

- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no contact orders will be referred to appropriate student or employee conduct processes for enforcement.

## **G. Emergency Removal**

The college can act to remove a student respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal.

This risk analysis is performed by the Title IX Coordinator in conjunction with the Care Team using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate.

When this meeting is not requested in a timely manner, objections to the emergency removal will be deemed waived.

A complainant and their advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so.

This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX.

There is no appeal process for emergency removal decisions.

A respondent may be accompanied by an advisor of their choice when meeting with the Title IX Coordinator. The respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion.

The college will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to: temporarily re-assigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial

penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

Where the respondent is an employee, existing provisions for interim action are applicable.

## **G. Promptness**

All allegations are acted upon promptly by the college once it has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the college will avoid all undue delays within its control.

Any time the general time frames for resolution outlined in college procedures will be delayed, the college will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

## **H. Privacy**

Every effort is made by the college to preserve the privacy of reports. The college will not share the identity of any individual who has made a report or complaint of harassment or retaliation; any complainant, any individual who has been reported to be the perpetrator of sexual harassment or retaliation, any respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

The college reserves the right to determine which college officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Information will be shared as necessary with investigators, hearing panel members/decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

The college may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk but will usually consult with the student first before doing so.

## **I. Jurisdiction**

This policy applies to the education program and activities of the college, to conduct that takes place on the campus or on property owned or controlled by the college, at college-sponsored events, or in buildings owned or controlled by the college's recognized student organizations. The respondent must be a member of the college's community in order for its policies to apply.

This policy can also be applicable to the effects of off-campus misconduct that effectively deprive someone of access to the college's educational program. The college may also extend jurisdiction to

off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial college interest.

Regardless of where the conduct occurred, the college will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity. A substantial college interest includes:

- a. Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;
- b. Any situation in which it is determined that the respondent poses an immediate threat to the physical health or safety of any student or other individual;
- c. Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
- d. Any situation that is detrimental to the educational interests or mission of the college.

If the respondent is unknown or is not a member of the college community, the Title IX Coordinator will assist the complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report. Further, even when the respondent is not a member of the college's community, supportive measures, remedies, and resources may be accessible to the complainant by contacting the Title IX Coordinator.

In addition, the college may take other actions as appropriate to protect the complainant against third parties, such as barring individuals from college property and/or events.

All vendors serving the college through third-party contracts are subject to the policies and procedures of their employers.

When the respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the Title IX Coordinator may be able to assist and support a student or employee complainant who experiences sexual harassment or retaliation in an externship, study abroad program, or other environment external to the college where sexual harassment policies and procedures of the facilitating or host organization may give recourse to the complainant.

## **J. Time Limits on Reporting**

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the respondent is no longer subject to the college's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.



When notice/complaint is affected by significant time delay, the college will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint.

## **K. Online Sexual Harassment and/or Retaliation**

The college's policy is written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the college's education program and activities or use college networks, technology, or equipment.

Although the college may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to the college, it will engage in a variety of means to address and mitigate the effects.

Any online posting or other electronic communication by students, including cyber-bullying, cyber-stalking, cyber-harassment, etc., occurring completely outside of the college's control (e.g., not on college networks, websites, or between college email accounts) will only be subject to this policy when such online conduct can be shown to cause a substantial in-program disruption or infringement on the rights of others.

Otherwise, such communications are considered speech protected by the First Amendment. Supportive measures for complainants will be provided, but protected speech cannot legally be subjected to discipline.

Off-campus harassing speech by employees, whether online or in person, may be regulated by the college only when such speech is made in an employee's role with the college or impacts the employee's ability to perform their role.

## *Part II: Prohibited Conduct*

### **A. Sexual Harassment**

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of Washington regard sexual harassment as an unlawful discriminatory practice.

Whitman College has adopted the following definition of sexual harassment in order to address the unique environment of an academic community and in compliance with Title IX regulations (34 CFR §106.30).

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual harassment, as an umbrella category, includes the actual or attempted offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

Conduct on the basis of sex or that is sexual that satisfies one or more of the following:

#### **1) Quid Pro Quo:**

- a. an employee of the college,
- b. conditions the provision of an aid, benefit, or service of the college,
- c. on an individual's participation in unwelcome sexual conduct.

**2) Sexual Harassment:**

- a. unwelcome conduct,
- b. determined by a reasonable person,
- c. to be so severe, and
- d. pervasive, and,
- e. objectively offensive,
- f. that it effectively denies a person equal access to the college's education program or activity.

**3) Sexual Assault, defined as:**

**a) Sex Offenses, Forcible:**

- Any sexual act directed against another person
- without the consent of the complainant,
- including instances in which the complainant is incapable of giving consent.

**Forcible Sexual acts include:**

**Forcible Rape:**

- Penetration,
- no matter how slight,
- of the vagina or anus with any body part or object, or
- oral penetration by a sex organ of another person,
- without the consent of the complainant.

**Forcible Sodomy:**

- Oral or anal sexual intercourse with another person,
- forcibly,
- and/or against that person's will (non-consensually), or
- not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age<sup>#</sup> or because of temporary or permanent mental or physical incapacity.

**Sexual Assault with an Object:**

- The use of an object or instrument to penetrate,
- however slightly,
- the genital or anal opening of the body of another person,
- forcibly,
- and/or against that person's will (non-consensually),
- or not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

**Forcible Fondling:**

- The touching of the private body parts of another person (buttocks, groin, breasts),
- for the purpose of sexual gratification,
- forcibly,
- and/or against that person's will (non-consensually),

- or not forcibly or against the person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

**b) Sex Offenses: Non-forcible:**

**Incest:**

- Non-forcible sexual intercourse
- between persons who are related to each other
- within the degrees wherein marriage is prohibited by Washington law.

**Statutory Rape:**

- Non-forcible intercourse
- with a person who is under the statutory age of consent in Washington

**4) Dating Violence, defined as:**

- a. violence,
- b. on the basis of sex,
- c. committed by a person,
- d. who is in or has been in a social relationship of a romantic or intimate nature with the complainant.
  - i. The existence of such a relationship shall be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
  - ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - iii. Dating violence does not include acts covered under the definition of domestic violence.

**5) Domestic Violence, defined as:**

- a. violence,
- b. on the basis of sex,
- c. committed by a current or former spouse or intimate partner of the complainant,
- d. by a person with whom the complainant shares a child in common, or
- e. by a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner, or
- f. by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of Washington, or
- g. by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of Washington.

\*To categorize an incident as domestic violence, the relationship between the respondent and the complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

**6) Stalking, defined as:**

- a. Engaging in a course of conduct,
- b. on the basis of sex,

- c. directed at a specific person, that
  - i. would cause a reasonable person to fear for the person's safety, or
  - ii. the safety of others; or
  - iii. suffer substantial emotional distress.

For the purposes of this definition—

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

## **Grievance Response Protocol**

(a) Allegations of sexual harassment that meet the five elements identified in Part II (C) of this policy will be addressed under the grievance resolution Part I, "**Title IX Regulatory Grievance Standards.**"

(b) Allegations of sexual harassment and/or sexual exploitation that must be dismissed for failure to meet the five requirements in Part II (C) will be addressed under the grievance resolution Part II, "**Title IX Institutional Grievance Standards.**"

## ***Part III. Standards for Assessing Conduct:***

As used in the offenses above, the following definitions and understandings apply:

### **(A) CONSENT**

**Consent is:**

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to

explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the college to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Consent in relationships must also be considered in context. When parties consent to BDSM<sup>1</sup> or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual, so the college’s evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default.

**(B) FORCE**

Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent.

**(C) INCAPACITATION**

A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a respondent violates this policy if they engage in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault policy violation that the respondent neither knew nor should have known the complainant to be physically or mentally incapacitated. “Should have known” is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual’s state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating

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<sup>1</sup> Bondage, discipline/dominance, submission/sadism, and masochism.

drugs.

**(D) COERCION**

Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

## *Part IV. College Standards*

**(A) MANDATED REPORTING**

- o All college employees (faculty, staff, administrators) are expected to report actual or suspected sexual harassment or retaliation to appropriate officials immediately.
- o In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality and are not required to report actual or suspected sexual harassment or retaliation. They may offer options and resources without any obligation to inform an outside agency or campus official unless a complainant has requested the information be shared.
- o If a complainant expects formal action in response to their allegations, reporting to any mandated reporter can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX Coordinator (and/or police, if desired by the complainant), who will take action when an incident is reported to them.

**(B) CONFIDENTIALITY OF COMPLAINTS AND REPORTS**

Parties in these processes, including the complainant, the individual accused of a policy violation (“Respondent”), and witnesses, have privacy rights and reasonable expectations of confidentiality in the investigation of matters subject to this procedure.

In addition, the integrity of the process depends on ensuring reasonable expectations of confidentiality. The Title IX Coordinator will keep confidential the complaint, report, witness statements, and any other information provided by the complainant, respondent, or witnesses and will disclose this information only to the complainant, respondent, or witnesses, as necessary to give fair notice of the allegations and to conduct the investigation; to law enforcement consistent with state and federal law; to other college officials as necessary for coordinating interim measures or for health, welfare, and safety reasons, and to government agencies who review the college’s compliance with federal law. The investigation report will be disclosed only to the complainant, respondent, Title IX Coordinator, disciplinary authority as necessary, and college officials as necessary to prepare for subsequent proceedings (e.g., college president and college legal counsel). Information about complaints and reports, absent personally identifiable information, may be reported to college officials and external entities for statistical and analysis purposes pursuant to federal and state law and college policy.

**(C) FEDERAL TIMELY WARNING OBLIGATIONS**

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, the college must issue Timely Warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus

community.

The college will ensure that a complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

**(D) RESOURCES**

The college's Safety and Security Annual Report of on-campus crime statistics includes forcible and non-forcible sex offenses, in lieu of the single category of rape used on previous reports, as well as statistics on dating violence, domestic violence, and stalking, in compliance with the Campus Security Act.

Copies of the Safety and Security Annual Report (required by the Student Right-to-Know and Campus Security Act of 1990) which details on-campus crime statistics for the three previous calendar years may be obtained at the following locations:

- Diversity, Equity & Inclusion Office, Memorial Building, 301 & 303
- Human Resources Department, Memorial Building 104-107
- Student Activities Office, Reid Campus Center, Room 202
- Campus Security Office, Whitman College Technology Services, Room 130

Crime prevention materials concerning personal safety on campus, rape and date or acquaintance rape are available at the Office of Diversity, Equity & Inclusion, Memorial Building 301 & 303 or Security Office, Whitman College Technology Services 130.

During the academic year, the Office of Diversity, Equity and Inclusion may provide sex crime prevention information through campus publications and by direct presentations to student groups on request.

The college does offer counseling services to its students. Those students needing counseling can contact the Counseling Center at (509) 527-5195. Additional counseling services are also available through the Victim's Advocate, Hunter 406, (509) 526-3032, sava@ywca.org.

**(E) CRIMINAL REPORTING**

Please remember that if someone is in immediate danger or needs immediate medical attention, the first place to report is 911. You may also report to the college's Campus Security (dial 5777 from a campus phone or (509) 527-5777) or to the Walla Walla Police Department. Some forms of discrimination and harassment may also be crimes. For example, sexual assault, stalking and rape are crimes. Criminal reports should be made to law enforcement, even if it is uncertain whether the particular conduct is a crime. Calling local law enforcement can help you: obtain emergency and nonemergency medical care; get immediate law enforcement response for your protection; understand how to provide assistance in a situation that may escalate to more severe criminal behavior; arrange a meeting with victim advocate services; find counseling and support; initiate a criminal investigation; and answer questions about the criminal process.

In order to preserve any physical evidence of a sexual offense, victims of sexual assault are urged not to bathe, shower, use any feminine douche or change clothing. Such victims should go

immediately to a medical facility of their choice to receive medical treatment if needed and to ensure that the appropriate examinations are conducted to collect the necessary physical evidence of the assault.

## **Grievance Resolution Process**

### **SEX/GENDER HARASSMENT, DISCRIMINATION AND SEXUAL MISCONDUCT**

#### *Part I. Title IX Regulatory Grievance Process Standards*

##### **(A) NOTICE/FORMAL COMPLAINT**

Upon receipt of a notice or complaint to the Title IX Coordinator of an alleged violation of the policy, the Title IX Coordinator initiates a prompt initial assessment to determine the next steps the college needs to take.

The Title IX Coordinator will initiate at least one of three responses:

- 1) Offering supportive measures because the complainant does not want to file a formal complaint; and/or
- 2) An informal resolution (upon submission of a formal complaint); and/or
- 3) A formal grievance process including an investigation and a hearing (upon submission of a formal complaint).

The college uses the formal grievance process to determine whether or not the policy has been violated. If so, the college will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to sexual harassment or retaliation, their potential recurrence, or their effects.

##### **(B) INITIAL ASSESSMENT**

o Following receipt of a formal complaint of an alleged violation of this policy, the Title IX Coordinator or designee engages in an initial assessment, typically within one to five business days. The steps in an initial assessment can include:

- o The Title IX Coordinator reaches out to the complainant to offer supportive measures.
- o The Title IX Coordinator seeks to determine if the person impacted wishes to make a formal complaint, and will assist them to do so, if desired.
- o If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.
- o The Title IX Coordinator works with the complainant to determine whether the complainant prefers a supportive and remedial response, an informal resolution option,



- o or a formal investigation and grievance process.
- o If a formal complaint is made (requiring the signature of the complainant), the Title IX Coordinator assesses its sufficiency and works with the complainant to make sure it is correctly completed.
- o If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution, and may seek to determine if the respondent is also willing to engage in informal resolution.
- o If a formal grievance process is preferred, the Title IX Coordinator determines if the misconduct alleged falls within the scope of Title IX or this policy.
- o If it does, the Title IX Coordinator will initiate the formal investigation and grievance process.
- o Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints trained individuals to conduct the investigation, usually within two business days of determining that an investigation should proceed.

#### **(C) DISCRETIONARY DISMISSAL**

The college may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

- 1) A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; or
- 2) The respondent is no longer enrolled in or employed by the college; or
- 3) Specific circumstances prevent the college from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon any dismissal, the college will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

This dismissal decision is appealable by any party.

#### **(D) COUNTERCLAIMS**

- o The college is obligated to ensure that the grievance process is not abused for retaliatory purposes. The college permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by a respondent may be made in good faith, but are, on occasion, also made for purposes of retaliation. Counterclaims made with retaliatory intent will not be permitted.
- o Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

- o Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

## **(E) RESOLUTION PROCESSES**

### **a. INFORMAL RESOLUTION**

Informal resolution can include three different approaches:

- o When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation.
- o When the parties agree to resolve the matter through an alternate resolution mechanism usually before a formal investigation takes place.
- o When the respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process
- o To initiate informal resolution, a complainant needs to submit a formal complaint, as defined above. A respondent who wishes to initiate informal resolution should contact the Title IX Coordinator.
- o It is not necessary to pursue informal resolution first in order to pursue a formal grievance process, and any party participating in informal resolution can stop the process at any time and begin or resume the formal grievance process.
- o Prior to implementing informal resolution, the college will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the college.
- o The college will obtain voluntary, written confirmation that all parties wish to resolve the matter through informal resolution before proceeding and will not pressure the parties to participate in informal resolution.

### **b. FORMAL GRIEVANCE RESOLUTION PROCESS**

The Title IX Coordinator will provide written notice of the investigation and allegations (the "NOIA") to the respondent upon commencement of the formal grievance process. This facilitates the respondent's ability to prepare for the interview and to identify and choose an advisor to accompany them. The NOIA is also copied to the complainant, who is to be given advance notice of when the NOIA will be delivered to the respondent.

The NOIA will include:

- A meaningful summary of all of allegations,
- The identity of the involved parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- A statement that the college presumes the respondent is not responsible for the

- reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about the college's policy on retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an advisor of their choosing and suggestions for ways to identify an advisor,
- A statement informing the parties that the college's policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- A link to the college's VAWA Brochure,
- The name(s) of the investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official college records or emailed to the parties' college-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

#### **(F) RIGHT TO AN ADVISOR**

The parties may each have an advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process, if they so choose. The parties may select whoever they wish to serve as their advisor as long as the advisor is eligible and available.

Choosing an advisor who is also a witness in the process creates potential for bias and conflict-of-interest. A party who chooses an advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing decision-maker(s).

Parties may request to have more than one advisor upon special request to the Title IX Coordinator. The decision to grant this request is at the sole discretion of the Title IX Coordinator and will be granted equitably to all parties.

The advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose advisors from inside or outside of the college community. The Title IX Coordinator will also assign an advisor for any party if the party requests.

#### **(G) ADVISOR'S ROLE IN MEETINGS AND HEARING**

The parties may be accompanied by their advisor in all meetings and interviews at which the party

is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

The college cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not or cannot afford an attorney, the college is not obligated to provide an attorney.

Under U.S. Department of Education regulations under Title IX, cross examination is required during the hearing, but must be conducted by the parties' advisors. The parties are not permitted to directly question each other or any witnesses. If a party does not have an advisor for a hearing, the college will appoint an advisor for the limited purpose of conducting any questioning of the other party and witnesses.

A party may reject this appointment and choose their own advisor, but they may not proceed without an advisor. If the party's advisor will not conduct questioning, the college will appoint an advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself.

A party may elect to change advisors during the process and is not obligated to use the same advisor throughout. The parties are expected to inform the investigator(s) of the identity of their advisor at least two (2) business days before the date of their first meeting with investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

The parties are expected to provide timely notice to the Title IX Coordinator if they change advisors at any time. It is assumed that if a party changes advisors, consent to share information with the previous advisor is terminated, and a release for the new advisor must be secured. Parties are expected to inform the Title IX Coordinator of the identity of their hearing advisor at least two (2) business days before the hearing.

All advisors are subject to the same college policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisee's without disrupting proceedings. The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the advisor generally may not speak on behalf of their advisee, the advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their advisors should ask for breaks to allow for private consultation.

Any advisor who oversteps their role as defined by this policy will be warned only once. If the advisor continues to disrupt or otherwise fails to respect the limits of the advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator will determine how to address the advisor's non-compliance and future role.

#### **(H) INVESTIGATION PROCESS**

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the complainant.
- In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures.
- Identify all policies implicated by the alleged misconduct and notify the complainant and respondent of all of the specific policies implicated.
- Assist the Title IX Coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation.
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties.
- Meet with the complainant to finalize their interview/statement, if necessary.
- Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible.
- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose.
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary.
- Allow each party the opportunity to suggest witnesses and questions they wish the investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
- Complete the investigation promptly and without unreasonable deviation from the intended timeline.
- Provide regular status updates to the parties throughout the investigation.
- Prior to the conclusion of the investigation, provide the parties and their respective advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding.
- Provide each interviewed party and witness an opportunity to review and verify the investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings.
- The investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report.
- Prior to the conclusion of the investigation, provide the parties and their respective advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which the college does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., complainant, respondent, complainant's advisor, respondent's advisor).

- The investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses.
- The investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The investigator(s) should document all rationales for any changes made after the review and comment period.
- The investigator shares the report with the Title IX Coordinator for feedback.
- The investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report.
- Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included.

#### **(I) ROLE OF WITNESSES IN THE INVESTIGATION**

Witnesses (as distinguished from the parties) may be students, employees or others identified by the investigator or by the parties. Student witnesses are strongly encouraged to participate in good faith with the investigation process. Witnesses who are employees of the college are expected to cooperate with and participate in the college's investigation and resolution process. Failure of employee witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant discipline.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. The college will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

#### **(J) RESOLUTION TIMELINE**

The college will make a good faith effort to complete the resolution process within a 60-90 business day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as a estimate of how much additional time will be needed to complete the process.

#### **(K) NOTICE OF HEARING**

Notice will be made in writing and may be delivered by one or more of the following methods: in person, or emailed to the parties' college-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

No less than ten (10) business days prior to the hearing, the Title IX Coordinator or the chair will

send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The hearing notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the decision-maker(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any decision-maker on the basis of demonstrated bias. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the decision-maker(s). For compelling reasons, the chair may reschedule the hearing.
- Notification that the parties may have the assistance of an advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an advisor, and the college will appoint one. Each party must have an advisor present. There are no exceptions.
- A copy of all the materials provided to the decision-maker(s) about the matter, unless they have been provided already.<sup>2</sup>
- An invitation to each party to submit to the chair an impact statement pre-hearing that the decision-maker will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Whether parties can or cannot bring mobile phones/devices into the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the respondent is still subject to this policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term or during the summer, as needed, to meet the resolution timeline followed by the college and remain within the 60-90 business day goal for resolution.

In these cases, if the respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges

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<sup>2</sup> The final investigation report may be shared using electronic means that preclude downloading, forwarding, or otherwise sharing.

under this policy is not in good standing to graduate.

#### **(L) DECISION MAKER/HEARING PANEL**

The college will designate a single decision-maker or a three-member panel at the discretion of the Title IX Coordinator. The single decision-maker will also chair the hearing. With a panel, one of the three members will be appointed as chair by the Title IX Coordinator.

The decision-maker(s) will not have had any previous involvement with the investigation.

Those who have served as investigators will be witnesses in the hearing and therefore may not serve as decision-makers. Those who are serving as advisors for any party may not serve as decision-makers in that matter.

The Title IX Coordinator may not serve as a decision-maker or chair in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role. The hearing will convene at a time determined by the chair or designee.

#### **(M) HEARING PROCEDURES**

At the hearing the decision-maker(s) has the authority to hear and make determinations on all allegations of sexual harassment and/or retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the sexual harassment and/or retaliation, even though those collateral allegations may not specifically fall within the policy.

Participants at the hearing will include the chair, any additional panelists, the investigator(s) who conducted the investigation, the parties (or three (3) organizational representatives when an organization is the respondent), advisors to the parties, any called witnesses, and anyone providing authorized accommodations or assistive services.

The chair will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The chair will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the decision-maker(s) and the parties and will then be excused.<sup>3</sup>

#### **(N) RECORDING**

Hearings (but not deliberations) are recorded by the college for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

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<sup>3</sup> A copy of the order of the hearing proceedings is available upon request in the Title IX Coordinator's Office and will be provided to parties upon commencement of a formal investigation leading to a hearing.



The decision-maker(s), the parties, their advisors, and appropriate administrators of the college will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

#### **(O) DELIBERATION, DECISION-MAKING AND STANDARD OF PROOF**

The decision-maker(s) will deliberate in closed session to determine whether the respondent is responsible or not responsible for the policy violation(s) in question. If a panel is used, a simple majority vote is required to determine the finding. The preponderance of the evidence standard of proof is used.

When there is a finding of responsibility on one or more of the allegations, the decision-maker(s) may then consider the previously submitted party impact statements in determining appropriate sanction(s).

The chair will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies). The decision-maker(s) may – at their discretion – consider the statements, but they are not binding.

The decision-maker(s) will review the statements and any pertinent conduct history provided by the appropriate administrator, and will determine the appropriate sanction(s) in consultation with other appropriate administrators, as required.

The chair will then prepare a written deliberation statement and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence not relied upon in its determination, credibility assessments, and any sanctions or recommendations.

This report must be submitted to the Title IX Coordinator within two (2) business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

#### **(P) NOTICE OF THE OUTCOME**

Using the deliberation statement, the Title IX Coordinator will work with the chair to prepare a Notice of Outcome. The Title IX Coordinator will then share the letter, including the final determination, rationale, and any applicable sanction(s) with the parties and their advisors within seven (7) business days of receiving the decision-maker(s)' deliberation statement.

The Notice of Outcome will be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official college records, or emailed to the parties' college-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The Notice of Outcome will articulate the specific policy(ies) reported to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by

the college from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent the college is permitted to share such information under state or federal law; any sanctions issued which the college is permitted to share according to state or federal law; and any remedies provided to the complainant designed to ensure access to the college's educational or employment program or activity, to the extent the college is permitted to share such information under state or federal law (this detail is not typically shared with the respondent unless the remedy directly relates to the respondent).

The Notice of Outcome will also include information on when the results are considered by the college to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

#### **(Q) SANCTIONS**

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The respondent's disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the sexual harassment and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of sexual harassment and/or retaliation
- The need to remedy the effects of the sexual harassment and/or retaliation on the complainant and the community
- The impact on the parties
- Any other information deemed relevant by the decision-maker(s)

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken or sanctions imposed by external authorities.

## *Part II. Title IX College Grievance Standards*

**ALL CASES THAT ARE DISMISSED UNDER THE REGULATORY STANDARDS WILL BE ADDRESSED UNDER THE WHITMAN COLLEGE GRIEVANCE POLICY.**

## *Part III. Appeals*

Any party may file a request for appeal (“Request for Appeal”), but it must be submitted in writing to the Title IX Coordinator within seven (7) days of the delivery of the Notice of Outcome.

A three-member appeal panel will be designated by the Title IX Coordinator OR a single appeal decision-maker will chair the appeal. No appeal panelists or decision-maker will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process.

The request for appeal will be forwarded to the appeal chair for consideration to determine if the request meets the grounds for appeal (a “Review for Standing”).

This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

### **a. Grounds for Appeal**

Appeals are limited to the following grounds:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the specific complainant or respondent that affected the outcome of the matter.

If any of the grounds in the request for appeal do not meet the grounds in this policy, that request will be denied by the appeal chair and the parties and their advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the request for appeal meet the grounds in this policy, then the appeal chair will notify the other party(ies) and their advisors, the Title IX Coordinator, and, when appropriate, the investigators and/or the original decision-maker(s).

The other party(ies) and their advisors, the Title IX Coordinator, and, when appropriate, the investigators and/or the original decision-maker(s) will be mailed, emailed, and/or provided a hard copy of the request with the approved grounds and then be given seven (7) business days to submit a response to the portion of the appeal that was approved and involves them. All responses will be forwarded by the chair to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed to determine if it meets the grounds in this policy by the appeal chair and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the investigator(s) and/or original decision-maker(s), as necessary, who will submit their responses in seven (7) business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The appeal chair will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses will be shared with the appeal panel, or and the chair/panel will render a decision in no more than seven (7) business days, barring exigent circumstances. All decisions are by majority vote and apply the preponderance of the evidence standard.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which the college is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the college is permitted to share under state or federal law.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' college-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above

**a. Appeal Considerations**

- o Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
- o Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- o An appeal is not an opportunity for appeal decision-makers to substitute their judgment for that of the original decision-maker(s) merely because they disagree with the finding and/or sanction(s).
- o The appeal chair/decision-maker(s) may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- o Appeals granted based on new evidence should normally be remanded to the original investigator(s) and/or decision-maker(s) for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.
- o Once an appeal is decided, the outcome is final, further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).
- o In rare cases where a procedural error cannot be cured by the original decision-maker(s) (as in cases of bias), the appeal may order a new hearing with a new decision-maker(s).
- o The results of a remand to a decision-maker(s) cannot be appealed. The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- o In cases in which the appeal results in reinstatement to the college or resumption of privileges, all reasonable attempts will be made to restore the respondent to their prior

status, recognizing that some opportunities lost may be irreparable in the short term.

#### **(R) FAILURE TO COMPLY WITH SANCTIONS**

All respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final decision-maker(s) (including the appeal chair/panel).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the college and may be noted on a student's official transcript.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

#### **(S) RECORDKEEPING**

The college will maintain for a period of at least seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the respondent;
3. Any remedies provided to the complainant designed to restore or preserve equal access to the college's education program or activity;
4. Any appeal and the result therefrom;
5. Any informal resolution and the result therefrom;
6. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The college will make these training materials publicly available on the college's website; and
7. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
  - a. The basis for all conclusions that the response was not deliberately indifferent;
  - b. Any measures designed to restore or preserve equal access to the college's education program or activity; and
  - c. If no supportive measures were provided to the complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

The college will also maintain any and all records in accordance with state and federal laws.

#### **(T) REVISION OF POLICY AND GRIEVANCE PROCESS**

This policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct and/or retaliation under Title IX and will be reviewed and updated annually by the Title IX Coordinator. The college reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the Title IX Coordinator may make minor modifications to

procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require policy or procedural alterations not reflected in this policy and procedures.

If government laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

This policy and procedures are effective [August 14, 2020].

## **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 Association of Sheriffs and Police Chiefs website located at <http://www.waspc.org/>. Under the Public Resources link, is the Sex Offender Information which allows you to search for registered sexual offenders by county, by entering a street address, city, and zip code.

## 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://whit.mn/dcl>.

## 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, 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. Manslaughter by Negligence;
2. Sexual Assault broken down by:
  - a. Rape;
  - b. Fondling;
  - c. Incest; and
  - d. Statutory rape;
3. Robbery;
4. Aggravated Assault;
5. Burglary;
6. Motor Vehicle Theft;
7. Arson; and
8. Hate Crimes.

Colleges and universities are also required to report the following Violence Against Women Act (VAWA) crimes including dating violence, domestic violence and stalking.

Colleges and universities are further required to report 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 on the pages following are the Whitman College crime statistics for the most recent 3-year period including 2020, 2019 and 2018.

**On-campus property (OC):** Any building or property owned or controlled by an institution and within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls.

**On-Campus Residential Housing (RH):** Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

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

**Public property (PP):** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

## Crime Statistics for 2020, 2019 and 2018

OC=On-campus; RH=On-campus residence halls; NCP=Non-campus property; PP=Public property

	2020	2020	2020	2020	2019	2019	2019	2019	2018	2018	2018	2018
	OC	RH	NCP	PP	OC	RH	NCP	PP	OC	RH	NCP	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>Sexual Assault:</b>												
Rape	2	2	1	0	1	1	2	0	6	4	10	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Forced Fondling	3	3	0	0	8	4	1	0	2	2	6	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0



<b>Robbery:</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Aggravated Assault:</b>	0	0	0	1	1	0	0	1	0	0	0	0
<b>Burglary:</b>	0	0	1	0	1	0	1	0	0	0	1	0
<b>Motor Vehicle Theft:</b>	0	0	0	0	0	0	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>	1	0	0	0	0	0	0	0	0	0	0	0
<b>Alcohol Violations:</b>												
Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Referrals	62	53	0	0	172	161	0	0	185	184	0	0
<b>Drug Violations:</b>												
Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Referrals	29	23	0	0	30	27	0	0	36	24	0	0
<b>Weapon Violations</b>												
Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Referrals	0	0	0	0	0	0	0	0	0	0	1	0
<b>VAWA Offenses:</b>												
Dating Violence	2	2	0	0	1	1	1	0	3	1	1	0
Stalking	1	0	0	0	1	0	0	0	7	1	6	0
Domestic Violence	0	0	0	0	2	0	0	1	0	0	0	0

Finally, the College must disclose any hate crimes reported in the past 3 years. At this time, we have one hate crime reported during the last three years:

1. 2020—1 hate crime reported
2. 2019—0 hate crimes reported
3. 2018—0 hate crimes reported

## 2020 Annual Fire Safety Report

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. Fire Reports for 2020, 2019 and 2018 statistics for on-campus student housing facilities follow.

[Note: In the fall of 2018, Marcus and North Halls were closed and Stanton Hall was opened. Marcus House house was reopened again in the Spring of 2020 for COVID housing.]

2020 Fire Reports	Total Fires at this Location	Fire Number	Cause of Fire	Number of Injuries Req. Medical Treatment at a Treatment Facility	Number of Deaths Related to Fire	Monetary Value of Property Damage
Anderson Hall	0	0	N/A	0	0	0
Asian Studies Interest House	0	0	N/A	0	0	0
College House	0	0	N/A	0	0	0
Community Service House	0	0	N/A	0	0	0
Douglas Hall	0	0	N/A	0	0	0
Environmental Interest House	0	0	N/A	0	0	0
Fine Arts House	0	0	N/A	0	0	0
French House	0	0	N/A	0	0	0
German Interest House	0	0	N/A	0	0	0
Global Awareness Int. House	0	0	N/A	0	0	0
Jewett Hall	0	0	N/A	0	0	0
La Casa Hispana Interest House	0	0	N/A	0	0	0
Lyman House	0	0	N/A	0	0	0
Marcus House*	0	0	N/A	0	0	0

Mecca - Multi Ethnic House	0	0	N/A	0	0	0
Phi Delta Theta	0	0	N/A	0	0	0
Prentiss Hall	0	0	N/A	0	0	0
Sigma Chi	0	0	N/A	0	0	0
Stanton Hall	0	0	N/A	0	0	0
Tekisuijuku Interest House	0	0	N/A	0	0	0
Writing Interest House	0	0	N/A	0	0	0

2020 Fire Reports	Total Fires at this Location	Fire Number	Cause of Fire	Number of Injuries Req. Medical Treatment at a Treatment Facility	Number of Deaths Related to Fire	Monetary Value of Property Damage
1041 E Isaacs 6 BR	0	0	N/A	0	0	0
1043 E Isaacs #A 5 BR	0	0	N/A	0	0	0
1043 E Isaacs #B 3 BR	0	0	N/A	0	0	0
1049 E Isaacs 7 BR	0	0	N/A	0	0	0
108 Shady Rill 5 BR	0	0	N/A	0	0	0
112 Shady Rill 4 BR	0	0	N/A	0	0	0
172 S Park 5 BR	0	0	N/A	0	0	0
220 1/2 Marcus A 1 BR	0	0	N/A	0	0	0
220 1/2 Marcus B STUDIO	0	0	N/A	0	0	0
220 Marcus 2 BR	0	0	N/A	0	0	0
221 Fulton #1 1 BR	0	0	N/A	0	0	0
221 Fulton #2 1 BR	0	0	N/A	0	0	0
221 Fulton #3 4 BR	0	0	N/A	0	0	0

221 Fulton #4 2 BR	0	0	N/A	0	0	0
357 Linden 5 BR	0	0	N/A	0	0	0
508 E Main 4 BR	0	0	N/A	0	0	0
602 E Main #103 1 BR	0	0	N/A	0	0	0
602 E Main #104 1 BR	0	0	N/A	0	0	0
602 E Main #105 2 BR	0	0	N/A	0	0	0
602 E Main #206 1 BR	0	0	N/A	0	0	0
602 E Main #207 1 BR	0	0	N/A	0	0	0
602 E Main #208 1 BR	0	0	N/A	0	0	0
602 E Main #309 1BR	0	0	N/A	0	0	0
602 E Main #310 1 BR	0	0	N/A	0	0	0
602 E Main #311 1 BR	0	0	N/A	0	0	0
602 E Main #312 1 BR	0	0	N/A	0	0	0
606 E Main 2 BR	0	0	N/A	0	0	0
610 E Main 2 BR	0	0	N/A	0	0	0
612 E Main 6 BR	0	0	N/A	0	0	0
615 E Isaacs 2 BR	0	0	N/A	0	0	0
622 E Main #1 1 BR	0	0	N/A	0	0	0
622 E Main #2 STUDIO	0	0	N/A	0	0	0
622 E Main #3 1 BR	0	0	N/A	0	0	0
622 E Main #4 1 BR	0	0	N/A	0	0	0
703 E Isaacs 3 BR	0	0	N/A	0	0	0
706 N Main 3 BR	0	0	N/A	0	0	0
707 E Isaacs 4 BR	0	0	N/A	0	0	0
708 N Main 1 BR	0	0	N/A	0	0	0
710 N Main 5 BR	0	0	N/A	0	0	0

713 E Isaacs 2 BR	0	0	N/A	0	0	0
713 Penrose 6 BR	0	0	N/A	0	0	0
714 1/2 N Main 1 BR	0	0	N/A	0	0	0
714 N Main 3 BR	0	0	N/A	0	0	0
718 N Main 2 BR	0	0	N/A	0	0	0
720 N Main #1 1 BR	0	0	N/A	0	0	0
720 N Main #2 1 BR	0	0	N/A	0	0	0
720 N Main #3 1 BR	0	0	N/A	0	0	0
720 N Main #4 1 BR	0	0	N/A	0	0	0
721 Penrose 2 BR	0	0	N/A	0	0	0
721 Valencia 4 BR	0	0	N/A	0	0	0

2019 Fire Reports	Total Fires at this Location	Fire Number	Cause of Fire	Number of Injuries Req. Medical Treatment at a Treatment Facility	Number of Deaths Related to Fire	Monetary Value of Property Damage
Anderson Hall	0	0	N/A	0	0	0
Asian Studies Interest House	0	0	N/A	0	0	0
College House	0	0	N/A	0	0	0
Community Service House	0	0	N/A	0	0	0
Douglas Hall	0	0	N/A	0	0	0
Environmental Int. House	0	0	N/A	0	0	0
Fine Arts House	0	0	N/A	0	0	0
French House	0	0	N/A	0	0	0
German Interest House	0	0	N/A	0	0	0

Global Awareness Int. House	0	0	N/A	0	0	0
Jewett Hall	0	0	N/A	0	0	0
La Casa Hispana Int. House	0	0	N/A	0	0	0
Lyman House	0	0	N/A	0	0	0
Marcus House*	0	0	N/A	0	0	0
Mecca - Multi Ethnic House	0	0	N/A	0	0	0
Phi Delta Theta	0	0	N/A	0	0	0
Prentiss Hall	0	0	N/A	0	0	0
Sigma Chi	0	0	N/A	0	0	0
Tamarac House	0	0	N/A	0	0	0
Tekisuijuku Interest House	0	0	N/A	0	0	0
Writing Interest House	0	0	N/A	0	0	0

2019 Fire Reports	Total Fires at this Location	Fire Number	Cause of Fire	Number of Injuries Req. Medical Treatment at a Treatment Facility	Number of Deaths Related to Fire	Monetary Value of Property Damage
1043 E Isaacs #A 5 BR	0	0	N/A	0	0	0
1043 E Isaacs #B 3 BR	0	0	N/A	0	0	0
108 Shady Rill 5 BR	0	0	N/A	0	0	0
112 Shady Rill 4 BR	0	0	N/A	0	0	0
172 S Park 5 BR	0	0	N/A	0	0	0
220 1/2 Marcus A 1 BR	0	0	N/A	0	0	0
220 1/2 Marcus B STUDIO	0	0	N/A	0	0	0
220 Marcus 2 BR	0	0	N/A	0	0	0

221 Fulton #1 1 BR	0	0	N/A	0	0	0
221 Fulton #2 1 BR	0	0	N/A	0	0	0
221 Fulton #3 4 BR	0	0	N/A	0	0	0
221 Fulton #4 2 BR	0	0	N/A	0	0	0
357 Linden 5 BR	0	0	N/A	0	0	0
508 E Main 4 BR	0	0	N/A	0	0	0
602 E Main #103 1 BR	0	0	N/A	0	0	0
602 E Main #104 1 BR	0	0	N/A	0	0	0
602 E Main #105 2 BR	0	0	N/A	0	0	0
602 E Main #206 1 BR	0	0	N/A	0	0	0
602 E Main #207 1 BR	0	0	N/A	0	0	0
602 E Main #208 1 BR	0	0	N/A	0	0	0
602 E Main #309 1BR	0	0	N/A	0	0	0
602 E Main #310 1 BR	0	0	N/A	0	0	0
602 E Main #311 1 BR	0	0	N/A	0	0	0
602 E Main #312 1 BR	0	0	N/A	0	0	0
606 E Main 2 BR	0	0	N/A	0	0	0
610 E Main 2 BR	0	0	N/A	0	0	0
612 E Main 6 BR	0	0	N/A	0	0	0
615 E Isaacs 2 BR	0	0	N/A	0	0	0
622 E Main #1 1 BR	0	0	N/A	0	0	0
622 E Main #2 STUDIO	0	0	N/A	0	0	0
622 E Main #3 1 BR	0	0	N/A	0	0	0
622 E Main #4 1 BR	0	0	N/A	0	0	0
703 E Isaacs 3 BR	0	0	N/A	0	0	0
706 N Main 3 BR	0	0	N/A	0	0	0

707 E Isaacs 4 BR	0	0	N/A	0	0	0
708 N Main 1 BR	0	0	N/A	0	0	0
710 N Main 5 BR	0	0	N/A	0	0	0
713 Penrose 6 BR	0	0	N/A	0	0	0
714 1/2 N Main 1 BR	0	0	N/A	0	0	0
714 N Main 3 BR	0	0	N/A	0	0	0
720 N Main #1 1 BR	0	0	N/A	0	0	0
720 N Main #2 1 BR	0	0	N/A	0	0	0
720 N Main #3 1 BR	0	0	N/A	0	0	0
720 N Main #4 1 BR	0	0	N/A	0	0	0
721 Penrose 2 BR	0	0	N/A	0	0	0
721 Valencia 4 BR	0	0	N/A	0	0	0

2018 Fire Reports	Total Fires at this Location	Fire Number	Cause of Fire	Number of Injuries Req. Medical Treatment at a Treatment Facility	Number of Deaths Related to Fire	Monetary Value of Property Damage
Anderson Hall	0	0	N/A	0	0	0
Asian Studies Interest House	0	0	N/A	0	0	0
College House	0	0	N/A	0	0	0
Community Service House	0	0	N/A	0	0	0
Douglas Hall	0	0	N/A	0	0	0
Environmental Int. House	0	0	N/A	0	0	0
Fine Arts House	0	0	N/A	0	0	0



French House	0	0	N/A	0	0	0
German Interest House	0	0	N/A	0	0	0
Global Awareness Int. House	0	0	N/A	0	0	0
Jewett Hall	0	0	N/A	0	0	0
La Casa Hispana Int. House	0	0	N/A	0	0	0
Lyman House	0	0	N/A	0	0	0
Marcus House*	0	0	N/A	0	0	0
Mecca - Multi Ethnic House	0	0	N/A	0	0	0
North	0	0	N/A	0	0	0
Phi Delta Theta	0	0	N/A	0	0	0
Prentiss Hall	0	0	N/A	0	0	0
Sigma Chi	0	0	N/A	0	0	0
Tamarac House	0	0	N/A	0	0	0
Tekisuijuku Interest House	0	0	N/A	0	0	0
Writing Interest House	0	0	N/A	0	0	0

2018 Fire Reports	Total Fires at this Location	Fire Number	Cause of Fire	Number of Injuries Req. Medical Treatment at a Treatment Facility	Number of Deaths Related to Fire	Monetary Value of Property Damage
108 Shady Rill 5 BR	0	0	N/A	0	0	0
112 Shady Rill 4 BR	0	0	N/A	0	0	0
172 S Park 5 BR	0	0	N/A	0	0	0
220 1/2 Marcus A 1 BR	0	0	N/A	0	0	0
220 1/2 Marcus B STUDIO	0	0	N/A	0	0	0

220 Marcus 2 BR	0	0	N/A	0	0	0
357 Linden 5 BR	0	0	N/A	0	0	0
508 E Main 4 BR	0	0	N/A	0	0	0
602 E Main #103 1 BR	0	0	N/A	0	0	0
602 E Main #104 1 BR	0	0	N/A	0	0	0
602 E Main #105 2 BR	0	0	N/A	0	0	0
602 E Main #206 1 BR	0	0	N/A	0	0	0
602 E Main #207 1 BR	0	0	N/A	0	0	0
602 E Main #208 1 BR	0	0	N/A	0	0	0
602 E Main #309 1BR	0	0	N/A	0	0	0
602 E Main #310 1 BR	0	0	N/A	0	0	0
602 E Main #311 1 BR	0	0	N/A	0	0	0
602 E Main #312 1 BR	0	0	N/A	0	0	0
606 E Main 2 BR	0	0	N/A	0	0	0
610 E Main 2 BR	0	0	N/A	0	0	0
612 E Main 6 BR	0	0	N/A	0	0	0
615 E Isaacs 2 BR	0	0	N/A	0	0	0
622 E Main #1 1 BR	0	0	N/A	0	0	0
622 E Main #2 STUDIO	0	0	N/A	0	0	0
622 E Main #3 1 BR	0	0	N/A	0	0	0
622 E Main #4 1 BR	0	0	N/A	0	0	0
703 E Isaacs 3 BR	0	0	N/A	0	0	0
706 N Main 3 BR	0	0	N/A	0	0	0
707 E Isaacs 4 BR	0	0	N/A	0	0	0
708 N Main 1 BR	0	0	N/A	0	0	0
710 N Main 5 BR	0	0	N/A	0	0	0

713 Penrose 6 BR	0	0	N/A	0	0	0
714 1/2 N Main 1 BR	0	0	N/A	0	0	0
714 N Main 3 BR	0	0	N/A	0	0	0
720 N Main #1 1 BR	0	0	N/A	0	0	0
720 N Main #2 1 BR	0	0	N/A	0	0	0
720 N Main #3 1 BR	0	0	N/A	0	0	0
720 N Main #4 1 BR	0	0	N/A	0	0	0
721 Penrose 2 BR	0	0	N/A	0	0	0
721 Valencia 4 BR	0	0	N/A	0	0	0

- 1041 E Isaacs started renting to students (as a Whitman owned rental) Fall of 2020
- 1043 E Isaacs started renting to students (as a Whitman owned rental) Fall of 2019
- 1049 E Isaacs started renting to students (as a Whitman owned rental) Spring of 2020
- 602 E Main became off-campus properties in Fall of 2018
- 221 Fulton apartments were rented to students (as a Whitman owned rental) Fall 2019
- 713 E Isaacs was a faculty rental until Fall 2020 when it became a student rental

## How to Report a Fire

If a fire does occur activate the building alarm if not already sounding and from a safe place 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 residence halls (Jewett, Lyman, Marcus, Prentiss, Douglas, Anderson, Stanton, and College House) 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 backup, including the hallways and general living areas.
- All residence halls are equipped with fire suppression systems
- Each building is equipped with at least one fire extinguisher per floor.
- Every college residence is equipped with fire extinguishers.

### *Description of Interest Houses fire safety systems:*

- All residence hall rooms and interest house rooms are equipped with battery operated smoke detectors.
- 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 Fire Department or College staff.

*Number of regular mandatory supervised fire drills:*

In 2020, the Security Department conducted one supervised fire drill per hall prior to shutting down for COVID. The College was online in the Fall of 2020 with very limited student housing on campus; no fire drills were conducted between April 1, 2020 and December 31, 2020.

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. Use of electrical appliances and equipment which is not either UL approved or TuV certified.
4. Cooking in unapproved areas (bedrooms) including use of toaster ovens, and other appliances with an open heating element. Microwaves are allowed.
5. Possession of space heaters.
6. Misuse of extension cords.
7. Tampering with or blocking any fire protection equipment.
8. Possession or use of fireworks.
9. Use of flammable cleaning fluids.
10. Storage of any flammable liquids in open or unsound containers.
11. Any decorating which involves excessive use of non-fire resistant materials.
12. Remaining in the building when the fire alarm sounds.
13. Removal of smoke detectors.

Additional information is available on the following web sites, Whitman College Handbook:  
<https://www.whitman.edu/academics/academic-resource-center/student-handbook>

Residence Life and Housing  
<http://www.whitman.edu/residence-life>

Campus Security Department  
<https://www.whitman.edu/security>

*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.

# 2021 Annual Security Report and Annual Fire Safety Report Changelog

- Updated with new publication date

## **Amendments to the 2021 Annual Security Report**

- A note of clarification was added explaining that this report has been amended and updated

## **Disclosure of Crime Statistics**

- Corrected titular language for the Title IX Coordinator

## **Reporting of Criminal Offenses**

- Removed outdated information on availability of exterior entryway phones at residence halls

## **Reporting Options**

- Updated contact information for offices who can receive reports of crimes
- Removed outdated language about location of Security which occurred in 2018

## **Voluntary Confidential Reporting**

- Updated to include full url for the Advocate public reporting form

## **Crime Reports and Timely Warnings**

- Updated information on where and how Security Officers document crime reports
- Updated descriptive language categorizing campus facilities

## **Emergency Response and Evacuation Procedures**

- Updated to include full url for Whitman College Emergency website
- Updated language on who was involved in conducting emergency exercises and the number of times that happened in 2020

## **Missing Student Notification**

- Updated contact information for campus offices
- Removed outdated language about location of Security which occurred in 2018

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

- Created two separate sections detailing differences in practice pre- and post-COVID shutdown

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

- Updated information to note that in 2020 student orientation was online
- Deleted safety tip on walking with with a buddy
- Removed redundant information on timely warnings and crime reporting

## **Campus Policies**

- Added full url for the Student Handbook
- Changes were made in 2020 to the Drugs and Other Dangerous Substances policy, as approved by faculty. The information in this report was edited to provide the updated information

## **Drug and Alcohol Prevention Programs**

- Updated to note shift of programming responsibility to Associate Dean of Students: Health and Wellness

## **Sexual Offense Response Procedures**

- Updated Title IX Coordinator title
- Moved this section to be incorporated into new Dating Violence, Domestic Violence, Sexual Assault and Stalking Prevention Reporting

## **Dating Violence, Domestic Violence, Sexual Assault and Stalking Prevention and Reporting**

- Created new section detailing policies, procedures, training and resources including relevant excerpts from Title IX

## **Crime Statistics**

It is important to note that for all the following statistical updates, the original dataset was incomplete because Campus Security did not consult with all the sources necessary to complete this report.

- Added definitions for On Campus Property, On Campus Residential Housing, Noncampus Buildings or Properties, and Public Property
- Rape
  - For 2020, Rape On Campus was changed from 0 to 2 because Title IX data was originally incorrectly omitted
  - For 2019, Rape On Campus was changed from 0 to 1 because Title IX data was originally incorrectly omitted
  - For 2020, Rape in Residence Halls was changed from 0 to 2 because Title IX data was originally incorrectly omitted
  - For 2019, Rape in Residence Halls was changed from 0 to 1 because Title IX data was originally incorrectly omitted
  - For 2020, Rape on Noncampus Properties was changed from 0 to 1 because Title IX data was originally incorrectly omitted
  - For 2019, Rape on Noncampus Properties was changed from 0 to 2 because Title IX data was originally incorrectly omitted
- Fondling
  - For 2019, Fondling On Campus was changed from 1 to 8 because Title IX data was originally incorrectly omitted
  - For 2019, Fondling in Residence Halls was changed from 1 to 4 because Title IX data was originally incorrectly omitted
- Aggravated Assaults

- For 2019, Aggravated Assaults On Campus was changed from 0 to 1 because Walla Walla Police Department data was originally incorrectly omitted
- For 2020, Aggravated Assaults on Public Property was changed from 0 to 1 because Walla Walla Police Department data was originally incorrectly omitted
- For 2019, Aggravated Assaults on Public Property was changed from 0 to 1 because Walla Walla Police Department data was originally incorrectly omitted
- Burglary
  - For 2019, Burglary in Noncampus Properties was changed from 5 to 1 because thefts were wrongly included in this category
- Hate Crimes
  - For 2020, Hate Crimes On Campus was changed from 0 to 1 because data from the Daily Crime Log was originally incorrectly omitted
- Domestic Violence
  - For 2019, Domestic Violence On Campus was changed from 0 to 2 because Walla Walla Police Department data was originally incorrectly omitted
  - For 2019, Domestic Violence in Residence Halls was changed from 0 to 1 because Walla Walla Police Department data was originally incorrectly omitted
  - For 2019, Domestic Violence in Noncampus Properties was changed from 0 to 1 because Walla Walla Police Department data was originally incorrectly omitted
  - For 2019, Domestic Violence on Public Property was changed from 0 to 1 because Walla Walla police Department data was originally incorrectly omitted
- Stalking
  - For 2020, Stalking On Campus was changed from 0 to 1 because data from Advocate was originally incorrectly omitted
  - For 2019, Stalking On Campus was changed from 3 to 1 because two cases were reclassified following additional investigation
- Drug Violations
  - For 2020, Drug Violations Referrals On Campus was changed from 0 to 29 because data from Residence Life was originally incorrectly omitted
  - For 2020, Drug Violations Referrals in Residence Halls was changed from 2 to 23 because data from Residence Life was originally incorrectly omitted
- Alcohol Violations
  - For 2020, Alcohol Violation Referrals On Campus was changed from 0 to 62 because data from Residence Life and Advocate was originally incorrectly omitted
  - For 2019, Alcohol Violation Referrals On Campus was changed from 122 to 172 because data from Residence Life was originally incorrectly omitted
  - For 2020, Alcohol Violation Referrals in Residence Halls was changed from 17 to 53 because data from Residence Life was originally incorrectly omitted
  - For 2019, Alcohol Violation Referrals in Residence Halls was changed from 114 to 161 because data from Residence Life was originally incorrectly omitted



## **2020 Annual Fire Safety Report**

- Updated list of buildings covered by the fire report
- Added notes explaining changes to ownership, use or categorization of included buildings
- Updated information on fire safety systems for residence halls (to include details of which buildings are covered in this category)
- Updated information on fire safety systems in Interest Houses to distinguish from residence halls
- Updated to reflect the accurate number of fire drills conducted in 2020