



SAINT MARTIN'S UNIVERSITY

2016 ANNUAL SECURITY AND FIRE SAFETY REPORT COVERING CALENDAR YEARS 2013 TO 2015



In compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (34 CFR 668.46(b))*

September 30, 2016

2016 ANNUAL SECURITY AND FIRE SAFETY REPORT

TABLE OF CONTENTS

INTRODUCTION.....	6
ANNUAL SECURITY REPORT	7
I. OFFICE OF PUBLIC SAFETY MISSION AND GOAL.....	7
SAINT MARTIN’S UNIVERSITY OFFICE OF PUBLIC SAFETY ORGANIZATION	7
Office of Public Safety Hours	8
Services Provided – Include but are not limited to:	8
II. AUTHORITY AND JURISDICTION.....	8
III. GENERAL PROCEDURES FOR ACCURATE AND PROMPT REPORTING	9
Timely Warning Notifications	9
Identifying Campus Security Authorities	10
Voluntary Confidential Reporting.....	10
IV. CONFIDENTIAL REPORTING - PASTORAL COUNSELORS AND PROFESSIONAL COUNSELOR POLICY ON REPORTING OF CRIMES	11
V. EMERGENCY NOTIFICATION AND RESPONSE	11
Emergency Notifications.....	11
TESTING EMERGENCY RESPONSE AND EVACUATION PROCEDURES	11
VI. PREPARATION AND DISCLOSURE OF CRIME STATISTICS	12
DAILY CRIME LOG/FIRE LOG	13
VII. ACCESS TO AND SECURITY OF FACILITIES	13
Residence Halls	13
Academic and Administrative Buildings	14
Security and Maintenance	14
VIII. SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS.....	15
IX. ALCOHOL AND OTHER DRUGS POLICIES.....	16
RESIDENCE HOUSING ALCOHOL AND DRUG POLICY	16

Alcohol	16
Drugs	16
UNIVERSITY POLICY – ALCOHOL AND DRUGS.....	16
Policy Statement	16
AVAILABLE DRUG AND ALCOHOL PROGRAMS AND REFERRAL SOURCES.....	17
X. DISCLOSURE OF DISCIPLINARY PROCEEDINGS	18
XI. SEXUAL MISCONDUCT	19
RIGHTS OF VICTIMS.....	30
XII. REGISTERED SEX OFFENDER INFORMATION	32
LEVELS OF SEX OFFENDERS - DEFINED	33
REGISTERED SEX OFFENDER INFORMATION LINK	33
XIII. MISSING STUDENT NOTIFICATION POLICY AND PROCEDURE.....	34
ANNUAL FIRE SAFETY REPORT	35
Residence Hall Fire Safety Reporting.....	35
Description of Student Housing Fire Systems.....	35
Residence Housing Fire Safety Regulations.....	35
What to Do in Case of Fire	36
Fire Response Dos and Don'ts	37
APPENDIX 1	38
Definitions of Reportable Crimes.....	38
Additional Clery Act Hate Crime Definitions:.....	39
Clery Definitions:.....	40
APPENDIX 2 – 2013-2015 Clery Crime Statistics.....	43
The <i>Clery Act</i> requires institutions to disclose three general categories of crime statistics:...	43
APPENDIX 3	46
2015 DESCRIPTION OF STUDENT HOUSING FIRE DETECTION AND SUPPRESSION SYSTEMS... 46	
APPENDIX 4	46
2015 TOTAL NUMBER OF FIRES BY RESIDENCE HALL	46
Building	46

Total Fires in Each Building	46
Fire Number	46
Date	46
Time	46
Cause of Fire.....	46
Number of Injuries Required Treatment at a Medical Facility	46
Number of Deaths Related To Fire	46
Value of Property Damage Caused By Fire	46
Case Number.....	46
APPENDIX 5 – SUMMARY OF FIRES	47
Appendix 6 – Disciplinary Procedures	48
APPENDIX 7	57
Legal and Health Risks of Substance Abuse.....	57
Summary of Applicable Laws	57
Denial of Federal Benefits (21 USC §862 and 20 USC 1091 (r) (1))	57
Forfeiture of Personal Property and Real Estate (21 USC §853)	57
Federal Drug Trafficking Penalties (21 USC §841)	57
Federal Drug Penalties for Simple Possession (21 USC §844)	57
Washington State Drug and Alcohol Laws (Chapter 69.50 Revised Code of Washington) ..	58
Substance Abuse Health Risks	61
Appendix 8 – Drug Free Schools & Communities Act and Drug Free Work Place Act	63
Drug-Free Schools and Communities Act Requirements.....	63
Drug-Free Workplace Act Requirements.....	64
Purpose and Goal.....	64
Covered Workers	65
Applicability.....	65
Prohibited Behavior	65
Notification of Convictions	65
Searches	66

Drug Testing	66
Consequences	66
Return-to-Work Agreements	67
Assistance.....	67
Confidentiality.....	67
Shared Responsibility.....	68
Communication.....	68
Information, Education, and Counseling	68
Sanctions.....	69

INTRODUCTION

As required by the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* Saint Martin's University is providing the 2016 Annual Security and Fire Safety Report. The *Annual Security Report* contains the past three years Clery crime statistics (2013, 2014 and 2015) and campus safety policy statements. It also contains the *Annual Fire Safety Report*, which includes the university's residence hall fire safety policies, a list of the residence halls fire protection systems, and the residence halls fire incident statistics for calendar years 2013, 2014 and 2015.

Originally known as *The Campus Security Act of 1990* (20 U&SC § 1092(F)) the *Clery Act* is the landmark federal law requiring colleges and universities "to provide students and their families, as higher education consumers, with accurate, complete and timely information about safety on campus so that they can make informed decisions." In 1998 the federal law was named *The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* in honor of Jeanne Clery who was raped and murdered on April 5, 1986, while in her residence hall room at Lehigh University.

Each year, by October 1st, Saint Martin's publishes its Annual Security and Fire Safety Report. The report is made available on-line or by hard copy to all current students and employees. Prospective students and employees are notified of its existence and afforded an opportunity to request a copy or view it on-line. Saint Martin's publishes the report on the Internet and can be found at <http://www.stmartin.edu/sites/default/files/smu-files/public-safety/annualreportandfiresafety2016.pdf>. Paper copies are available upon request from the Office of Public Safety, Old Main Room 251. Annual statistics are also provided to the U.S. Department of Education and can be located at <http://ope.ed.gov/security/>.

ANNUAL SECURITY REPORT

I. OFFICE OF PUBLIC SAFETY MISSION AND GOAL

The mission of the Office Public Safety is to serve and protect the Saint Martin's Abbey and University community and to provide an environment which allows an enhanced learning and working experience.

The Office of Public Safety has as its primary function the responsibility to create and maintain a safe educational and working environment for the community and to prepare for, respond to, and recover from any emergency or disaster befalling the campus community or physical setting. The Office of Public Safety complies with the disclosure requirements for a private institution of higher education, including crime statistics and required policies and procedures.

SAINT MARTIN'S UNIVERSITY OFFICE OF PUBLIC SAFETY ORGANIZATION

The Office of Public Safety at Saint Martin's University is comprised of a Director, two Assistant Directors and two full-time Public Safety Officers. Day-to-day campus security is augmented by 17 to 20 Student Security Officers who work shifts providing coverage 24-hours per day.

The Director of Public Safety reports to the Dean of Students. All Public Safety staff and Student Officers report to the Director of Public Safety.

The Office is broken in to two general programmatic areas with oversight by the two Assistant Directors. One Assistant Director oversees crime prevention programing and CPTED while the other Assistant Director oversees emergency management preparation, education and response.

Non-sworn Public Safety Officers and Student Officers patrol the campus on a 24-hour basis, including conducting Residence Hall community walks and staffing the RA desks with Residence Hall Advisors.

The Office of Public Safety is located in Old Main, room 251, which also houses the Visitor's Information Center and University switchboard. Students working for the Visitor's Information Center answer Public Safety phones and dispatch calls during regular business hours.

The Office of Public Safety maintains a Daily Log, which includes the date and circumstances of incidents reported to Public Safety, general location and disposition. The Daily Log is reviewed by full-time staff to assure student personally identifiable information is not displayed on any Daily Log entry. The Daily Log can be viewed at the Office of Public Safety, and hard copies can also be obtained, Monday through Friday, 8:00 am to 4:30 pm., excluding Holidays.

Office of Public Safety Hours

The Office of Public Safety is open 24-hours per day/7-days per week.

Services Provided – Include but are not limited to:

- Personal safety escorts
- Lost and Found
- University identification card issuance
- Vehicle parking permit registration
- Parking enforcement and traffic control
- Event security
- Key and card access control
- Sex Offender notification
- Timely Warning Notification
- Emergency Notifications
- Crime Prevention education
- CCTV monitoring
- Security Patrol
- Basic First Aid response
- Liaison with local law enforcement
- Response to criminal activities
- Clery Act Compliance and Reporting
- Emergency preparation, education and response
- Emergency Incident Management

II. AUTHORITY AND JURISDICTION

The Office of Public Safety full-time staff and student officers are non-commissioned, unarmed, Public Safety personnel functioning totally for the benefit of the University and Saint Martin's Abbey while working on the University campus. Public Safety personnel do not possess arrest powers and will contact the City of Lacey Police Department for law enforcement assistance.

Saint Martin's University maintains a strong working relationship with the Lacey Police Department and Thurston County Fire Protection District 3. The police department is located just minutes away from the campus in the 400 block of College Street SE. Fire District 3 is located immediately south of the University's Pacific Avenue entrance to campus. Public Safety has direct radio communications ability with the Lacey Police Department on a car-to-car radio frequency. The SMU Public Safety Officers work together with Lacey Police and Fire on incident occurring on campus or on the public property immediately adjacent to campus.

Saint Martin's University does not have a written agreement or Memorandum of Understanding with the Lacey Police Department for the investigation of reported criminal offenses on campus. However, a county-wide MOU is being developed by the Thurston County Chiefs and the Sheriff to address joint investigations of reported sexual violence. The City of Lacey Police Department, as a General Law Enforcement Agency defined in Chapter 10.19 Revised Code of Washington, has full law enforcement jurisdiction for all criminal offenses committed on campus. SMU Public Safety Officers work with and support the Lacey Police in the investigation of crimes occurring on campus.

Saint Martin's University does not have any officially recognized off-campus student organizations such as fraternities or sororities. As such, SMU does not use the Lacey Police Department to monitor and document criminal activities by students at off-campus locations. On occasion, based on the severity or situation, Lacey Police may notify SMU of a contact with SMU students occurring off-campus. Since the Office of Public Safety is not a general law enforcement agency, the legal ability for the Lacey Police to share certain details of criminal activity occurring off-campus is limited by state law.

III. GENERAL PROCEDURES FOR ACCURATE AND PROMPT REPORTING

All members of the campus community who become crime victims, or who witness a crime, are strongly urged to immediately report any incident to local law enforcement by calling 911 and/or to contact the Saint Martin's University Office of Public Safety by calling 360-438-4555. Local law enforcement can also be contacted by activating any of the 12 emergency phone call boxes located on campus. Immediate reporting of incidents will enable a prompt response by First Responders and allow for Timely Warning Notices to be issued to the campus community. Crimes can also be reported to Thurston County Crime Stoppers by calling 1-800-222-TIPS or by logging on to <https://www.tipsubmit.com/WebTips.aspx?AgencyID=1049> and filing an anonymous crime report. Because police reports under Washington state law are public records, Lacey Police cannot hold reports of crime in confidence.

Non-emergency incidents can and should be reported to the Office of Public Safety at any time by calling 360-438-4555 or by dialing extension 4555 from any university phone.

Timely Warning Notifications

Timely Warnings will be issued when certain crimes are occurring, or have occurred, on or off campus and are considered representing a serious and/or continuing threat to the campus community. Time Warnings will be issued by the Director of Public Safety or an Assistant Director, in consultation with the Dean of Students, through the university campus-wide email system. These notices will be issued not only to inform the campus community but to also aid in the prevention of similar crimes and provide for the protection of the campus community.

Identifying Campus Security Authorities

The *Clery Act* requires the institution to disclose the titles of individuals or organizations on campus, other than the Office of Public Safety, to whom crimes can be reported. These individuals are designated as a Campus Security Authority and are identified because of their significant responsibility for student and campus activities. The Campus Security Authority does not investigate crimes. The Campus Security Authority has only the obligation to report crimes for statistical purposes.

At the beginning of each academic year employees designated by the Administration as a Campus Security Authority (CSA) will be notified by email of their designation and advised of the reporting requirements and directions as to where they are to report incidents coming to their attention.

In addition to reporting to a Campus Security Authority, students and employees can report any criminal incident to any of the following designated Campus Officials:

- | | |
|--|-----------------------|
| 1. Dean of Student Affairs | 360-438-4367 |
| 2. Athletic Director and all coaches | 360-438-4368 |
| 3. Director of Housing and Residence Life, | 360-486-8856 |
| 4. Residence Hall Directors
or any Residence Hall Advisor | 360-486-8875/438-4546 |
| 4. Director of Campus Life | 360-438-4577 |
| 5. Associate VP - Human Resources | 360-486-8131 |
| 6. Director of Disability Support Services | 360-438-4580/4569 |
| 7. Director of Career Services | 360-486-8842 |
| 8. Director of OIPD | 360-438-4598 |

Voluntary Confidential Reporting

There are no additional policies regarding confidential reporting beyond what is listed in the [Confidential Reporting](#) section. Community members are welcome to report crimes to Public Safety and request to remain anonymous. Contact information may be collected if deemed necessary, and anonymity will be maintained whenever possible. Police reports, under state law, are public records and the police cannot withhold the release of a report.

IV. CONFIDENTIAL REPORTING - PASTORAL COUNSELORS AND PROFESSIONAL COUNSELOR POLICY ON REPORTING OF CRIMES

Title 20 USC Section 1092(f) has excluded “Pastoral Counselors and Professional Counselors” from the definition of a Campus Security Authority. As a matter of policy these counselors, when they deemed appropriate, will discuss with and provide to the persons being counseled the procedures they can follow to voluntarily report crimes for inclusion into the annual crime statistics.

Any incident reported to the Counseling and Wellness Center remains confidential unless there is a reason to believe there is a continued threat to safety. Minors who are victims of assault, abuse, neglect, or sexual assault cannot be granted confidentiality and a report must be made to local law enforcement or state child protective services.

V. EMERGENCY NOTIFICATION AND RESPONSE

Emergency Notifications to the campus community will be issued upon confirmation of a significant emergency or dangerous situation involving an immediate threat to health or safety. Using all available information, and taking into account the safety of the campus community, the Director of Public Safety or other University Administrators will confirm there is a significant emergency or dangerous situation. A determination of the affected area will be made and a decision regarding the content of a message will be developed by the Director of Public Safety (or designee) and a member(s) of the Cabinet. The initiation of the Emergency Notification process will then begin. A confirmed emergency or dangerous situation Emergency Notification may be delayed if the issuance of the Emergency Notification would compromise efforts to: 1) assist victims; 2) contain the emergency; 3) respond to the emergency; or 4) otherwise mitigate the emergency.

Saint Martin’s has several methods for delivering an Emergency Notification. These include the use of SMU Emergency Alerts, which uses the e2Campus™ web-based unified emergency notification system as a platform for emergency message delivery. Emergency Notification messages are then broadcast via campus wide email, text messaging, Twitter, SMU web page, Alertus® Beacons, Alertus® Desktop and Blue Light WEBS® towers. Public Safety personnel have the authority to activate the university’s emergency notification system for **Emergency Notifications**. After the initial Emergency Notification updates and subsequent information to the broader Saint Martin’s community will be coordinated through the Office of Marketing and Communications.

TESTING EMERGENCY RESPONSE AND EVACUATION PROCEDURES

WEBS® Blue Light emergency phone broadcast systems are checked at least once per semester to ensure they are working properly. The Saint Martin’s Emergency Alerts emergency

notification system (an opt-out system) is checked at least annually to ensure all aspects of the system are working properly. Residence Hall fire drills with evacuations are conducted each semester; other buildings on campus have fire drills annually on a rotating basis. Campus-wide emergency drills are performed annually and can include: earthquake drop/cover/hold on; evacuation drills for natural or human caused incidents; or Run/Hide/Fight drills for active shooter incidents.

Evacuation drills/Fire drills occur each semester. Students and staff are not notified in advance of these drills. Table top exercises and other incident response tests are conducted at least once per year. The university incident management team and other key personnel are included in table top exercises.

VI. PREPARATION AND DISCLOSURE OF CRIME STATISTICS

Saint Martin's publishes and distributes an Annual Security Report (ASR) which includes campus crime statistics and University's policies as required by the *Clery Act*. The crime statistics posted are for the past three years of compiled *Clery Act* offenses occurring within the Saint Martin's geographic reporting areas. The statistics are broken down and listed by physical location, such as On Campus, In Residence Halls, On Public Property and On Non-Campus Properties used by Saint Martin's. Personally identifiable information may be collected to aid in an investigation but is omitted when reporting statistics to the U.S. Department of Education.

The ASR includes information for *Clery Act* crimes and reportable incidents occurring on campus and/or on public property immediately adjacent to campus to which the Lacey Police Department has responded to.

The Counseling and Wellness Center staff, should they feel it is in the best interest of their client, will discuss with their clients the option and procedures available to them for reporting crimes to Public Safety or the Lacey Police, on a voluntary.

Each year, an email notification is made to all enrolled students, faculty and staff providing the direct URL address to access the ASR and *Clery Act* crime statistics. Paper copies of the annual report can also be obtained from the Office of Public Safety upon request.

The ASR includes policy statements and program descriptions pertaining to campus security and, specifically, to sex offenses. A paper copy of the report is available upon request through:

Office of Public Safety
Old Main, Room 251
Saint Martin's University

5000 Abbey Way SE
Lacey, WA 98503

Phone: (360) 438-4555

Fax: (360) 412-6151

Email: security@stmartin.edu

The annual security report is also available on line at:

<http://www.stmartin.edu/sites/default/files/smu-files/public-safety/annualreportandfiresafety2016.pdf>

DAILY CRIME LOG/FIRE LOG

The University is required to publish a Daily Crime Log which lists all criminal incidents and all alleged criminal incidents reported to the Office of Public Safety or the Lacey Police Department, when the Lacey Police notify Public Safety.

Included in the Daily Crime Log is the record of any fire reported in any residence hall or occurring on campus.

The Daily Crime/Fire Log is available for on-site inspection during normal business hours (8:00 am to 5:00 pm Monday through Friday).

No personally identifiable information is contained in any Daily Log entry.

VII. ACCESS TO AND SECURITY OF FACILITIES

Residence Halls

Residence hall entrances, except for Burton apartments, are secured by electronic locks 24 hours a day. Doors can only be unlocked by persons issued an SMU proximity identification card with those specific door credentials. Over extended breaks (mid-semester, holiday, etc.) the residence halls are restricted to those students authorized to remain in residence housing during breaks; students not authorized to be in residence housing have their access to buildings disabled until school reopens.

Guests to the residence halls must have a host who is a resident student and must be escorted by the resident student at all times while in the residence halls. Guests may not be left alone in university facilities or provided with proximity cards or room keys.

Persons gaining unauthorized access to residence halls may be subject to a trespass notice.

Academic and Administrative Buildings

During business hours the academic and administrative buildings are open to persons having a lawful purpose on campus, such as students, parents, employees, contractors, vendors, guests, and invitees. During non-business hours, student or public access to all University facilities is obtained only by prior permission from an authorized University official. Some buildings are equipped with electronic access systems for after-hour access by employees and students with proper credentials. As a private institution, Saint Martin's University reserves the right to deny access to the campus and its facilities. Normal business hours for the University are Monday through Friday 8:00 am to 5:00 pm.

Security of all facilities during normal business weeks and during extended breaks will be at the discretion of respective Building Manager or other University officials. Faculty conducting classes in the building are responsible to coordinate access to the building with the Building Manager and Public Safety.

Emergencies may necessitate changes to regular building access schedules. University officials such as the University President, VP- Academic Affairs, Dean of Student Affairs, Director of the Office of Public Safety, Director of Housing and Residence Life, and the Facilities Director, may review security concerns and adjust building access as needed.

All students and employees are responsible for the security of their proximity identification card and any university key issued to them. Loss of any key or ID card should be reported to the Office of Public Safety immediately. Access is granted to the individual and is non-transferrable. Public Safety monitors facility access and will, as needed, refer violators of access policies to the appropriate disciplinary/conduct system or local law enforcement.

Security and Maintenance

Concerns related to security can be reported to the Office of Public Safety, Facilities Management or the university Safety Committee.

Maintenance issues can be reported directly to Facilities.

Security surveys are used to obtain information and input on such issues as landscaping, door and window locks, alarms, lighting, and communications. Cameras are located in parking lots as well as a number of other locations across. CCTV video is retained for up to 30-days.

All buildings and rooms with electronic door access control systems are capable of being remotely locked in an emergency.

VIII. SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

During Advanced Registration and Orientation students and parents are informed of the services offered by Office of Public Safety. Information provided during these events includes, but is not limited to: the current 3-year Clery Crime Statistics, property theft prevention information, renters insurance, Washington State domestic violence laws and arrest requirements, sexual assault and dating violence information, and the alcohol and drug policies. Presentations are also made to prospective students and their parents during Spirit Day events. Information concerning prevention programs and emergency preparedness/response is provided by the [Office of Public Safety](#) and can be found on their web page.

Personal safety lies with the individual. Members of the campus community are urged to be responsible for their own safety. The Office of Public Safety shares and promotes campus safety procedures, services and safety reminders and tips in many forms throughout the year. Crime prevention alerts and safety tips are published monthly in the Public Safety News Letter, published in the student paper and on displayed on informational posters throughout campus.

Programs on personal safety and property theft prevention are presented throughout the year. Information is presented on how students and employees can protect themselves in the event of a physical assault, sexual assault, burglary, theft, and other acts of crime and violence. Identify theft information is made available to students.

Additional prevention education programs conducted by the university include:

- Dating Violence, Domestic Violence, Sexual Assault, and Healthy Relationships awareness training during First Year Seminary in a program entitled "Think About It."
- On-line sexual assault awareness training program for all First Year Students conducted by Counseling and Wellness Center.
- Sex Signals.
- Title IX training to all student athletes.
- Clery Act Campus Security Authority and Title IX Responsible Employee training for all student leaders (including RAs, ASSMU, PROS, Student Security Officers).
- Washington State Mandatory Reporter training for all employees and students working with minor children and vulnerable adults. This includes all coaches and student counselors associated with summer athletic camps.
- Green Dot bystander intervention training classes during the year.
- Take Back the Night sexual assault awareness.
- Residence hall fire prevention, earth quake response, evacuations, and lockdown training.

IX. ALCOHOL AND OTHER DRUGS POLICIES

Saint Martin's University is committed to a safe and secure environment free of Alcohol and Other Drug (AOD) abuse and maintains this commitment in support of academic success, work performance, well-being, and quality of life for all members of its community. It is the conviction of Saint Martin's University the education of the mind, body, and soul are of the utmost importance. Alcohol and other drugs have been shown to adversely affect this ideal. The University is committed to substance abuse prevention, education, and assistance.

RESIDENCE HOUSING ALCOHOL AND DRUG POLICY

Alcohol

Possession, consumption, possession by means of consumption (if under the age of 21), and the manufacture, sale, or distribution of alcoholic beverages, is prohibited in or around University-owned or University-controlled housing. Also prohibited is the possession, consumption, distribution or other use of alcohol, on or off University premises, in violation of federal, state or local laws.

Possession of empty alcohol containers, remaining in a location where alcohol is present, assisting someone else in concealing the product or its effect on an individual, or any other violation of Housing and/or University policies due to alcohol consumption also constitutes a violation of this policy.

Drugs

Possession, use, manufacture, sale, or distribution of marijuana (including medicinal marijuana or recreational use marijuana regulated by state law), illicit narcotics, or other controlled substances; improper possession, use, manufacture, sale, or distribution of prescription pharmaceuticals in violation of local, state, or federal law; and possession or use of drug paraphernalia is/are prohibited.

Possession or use of drug paraphernalia, remaining in a location where illicit drugs are present, assisting someone else in concealing the product or its effect on an individual, or any other violation of Housing and/or University policies due to drug use also constitutes a violation of this policy.

UNIVERSITY POLICY – ALCOHOL AND DRUGS

Policy Statement

Saint Martin's University prohibits the illegal or unauthorized possession, use or distribution of alcohol and the possession, use or distribution of illicit drugs by students, faculty, and staff on University premises or as part of any of its activities. This Alcohol and Drug Policy is intended to meet, at a minimum, the requirements of all applicable federal and state laws, including but not limited to the [Drug-Free Schools and Communities Act of 1986](#), as amended, and the [Drug-Free Workplace Act of 1988](#).

In accordance with federal law, this policy applies to: (1) any student enrolled at the University in one or more courses for academic credit, regardless of the length of the student's program of study; (2) any regular or temporary faculty, staff, or student employee of the University; and (3) any visitor or guest on University premises. The conduct prohibited by this policy includes, at a minimum, the unlawful possession, use, or distribution of alcohol and drugs, including "medical or recreational use marijuana," by students, employees, visitors or guest on University premises or as part of its activities.

University "premises" include but are not limited to its campus, facilities, housing and vehicles. A University "activity" means any activity sponsored by the University, whether or not it takes place on University premises.

The term "alcohol" as used here means hard liquor, wine, beer, and any other alcoholic beverage.

A "drug" is any "controlled substance" within the meaning of the Controlled Substance Act [Title 21 United States Code (USC) Controlled Substance Act], such as marijuana, cocaine and crack cocaine, amphetamines, ecstasy, psilocybin/mushrooms, heroin, barbiturates, and hallucinogens. The possession, use, or distribution of alcohol or a drug is "unlawful" if such use is prohibited by federal or state law. For further information on the summary of applicable laws go to [Summary of Applicable Laws](#).

AVAILABLE DRUG AND ALCOHOL PROGRAMS AND REFERRAL SOURCES

Counseling, treatment, rehabilitation, and re-entry programs are available to employees or students and include:

ON CAMPUS:

* SMU Counseling Center: 360-438-4371

* SMU Substance Abuse Prevention Program Coordinator, Jason Kilmer, Ph.D. 360-438-4513 – available to students for evaluations, consultations, and counseling; faculty or staff may contact Dr. Kilmer for any questions or referrals

OFF CAMPUS:

Northwest Resources

2708 Westmoor Court SW
Olympia, WA 98502
360-943-8810

3773 Building A, Suite 105
Martin Way East, Olympia, WA 98506
360-688-7312

South Sound Clinic – Evergreen Treatment Services

6700 Martin Way East, Suite 117
Olympia, WA 98516
360-413-6910

Alternatives Professional Counseling

203 4th Ave E., Suite 301

Olympia, WA 98501
360-357-7986

Providence St Peter Chemical Dependency Center

4800 College St SE
Lacey, WA 98503
360-456-7575

The Right Step, Inc

801 Sleater-Kinney Rd SE, Suite 20
Lacey, WA 98503
360-923-9585

Olympia Psychotherapy, Inc

1408 State Ave NE, Suite 110
Olympia, WA 98506
360-352-3034

ADDITIONAL RESOURCES

- * BHR Recovery Services: 360-704-7170.
- * Safeplace: 360-754-6300: Provides a 24-hour sexual and domestic violence helpline.
- * The Crisis Clinic: 360-586-2800: Provides a 24-hour crisis line and referrals to providers in the area.
- * Alcohol/Drug Use 24-hour Help Line: 1-800-562-1240
- * Washington State Alcohol/Drug Clearing House: 1-800-662-9111

SUPPORT GROUPS:

- * Alcoholics Anonymous (AA): 360-352-7344.
- * Alanon: 360-352-7745 (support for those affected by the alcohol use of a friend or family member).
- * Narcotics Anonymous (NA): 360-754-4433.

X. DISCLOSURE OF DISCIPLINARY PROCEEDINGS

Saint Martin's University will, upon written request from the victim of a crime of sex offense, provide to the victim the report on the results of any disciplinary proceedings conducted by Saint Martin's University against a student who is the alleged perpetrator of such crime or offense. If the victim is deceased as a result of such crime or offense, Saint Martin's University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

XI. SEXUAL MISCONDUCT

Saint Martin's University's policies prohibit sexually violent acts, termed "Sexual Misconduct" by the University, which can be crimes as well. Sexual misconduct includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal/relationship violence, sex/gender-based stalking and sexual harassment. While the University utilizes different standards and definitions than the Revised Code of Washington, sexual misconduct often overlaps with the crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence. Victims of these behaviors are protected by federal laws, specifically Title IX [[Saint Martin's Title IX Information](#)], and the Clery Act, which mandates the contents of this report.

It is the policy of Saint Martin's University not to notify local law enforcement when sexual misconduct occurs, unless a victim wishes or there is an emergency threat to health or safety of the campus community. Victims have the option to notify law enforcement directly or to be assisted in doing so by campus authorities. If requested, campus officials can facilitate reporting to local law enforcement but may also respect a victim's request not to do so.

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence occurring among its students, the University utilizes a range of campaigns, strategies and initiatives to promote awareness, educational, risk reduction and prevention programming.

It is the policy of the Saint Martin's University to offer programming to identify and prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults) and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees and are often conducted during new student and new employee orientation and throughout an incoming student's first semester. Programs and other campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness but also primary prevention (including normative messaging, environmental management and bystander intervention) and discuss institutional policies on sexual misconduct as well as the Revised Code of Washington definitions of domestic violence, dating violence, sexual assault, stalking and consent in reference to sexual activity. Programs also offer, without victim blaming approaches, information on: risk reduction; empowerment of victims; tools to recognize warning signals; and ways to avoid potential attacks. Examples of programs offered students include, but are not limited to:

- Sex Signals
- Green Dot bystander awareness
- Think About It

- Take Back The Night
- The Cloths Line Project
- Title IX

Programs are informed by evidence-based research and/or are assessed for their effectiveness.

Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies and/or creating distractions. Bystander empowerment training highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose and motivates them to intervene as stakeholders in the safety of the community when others might choose to be bystanders.

In the event sexual misconduct, gender-based violence or the crimes of sexual assault, stalking, dating violence or domestic violence does occur, the University takes the matter very seriously. The University employs interim protection measures such as interim suspensions and/or no contact orders in any case where a student's behavior represents a risk of violence, threat, pattern or predation. If a student is accused of sexual misconduct, other gender-based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence, they are subject to action in accordance with the Student Code of Conduct & Policies. Anyone with knowledge about sexual misconduct, gender-based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence or domestic violence is encouraged to report it immediately. Protective measures for victims are available from the campus whether a victim chooses to report to local law enforcement or Public Safety, and irrespective of whether a victim pursues a formal complaint through the University resolution process.

WHERE AND HOW TO GET IMMEDIATE ASSISTANCE FOLLOWING AN INCIDENT OF SEXUAL MISCONDUCT

If you are the victim of sexual misconduct, gender-based violence, a sexual assault, stalking, dating violence or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, whether you are on or off campus, call 911. If there is no immediate danger, contact the Office of Public Safety at 360-438-4555 if you are on campus.

It is the policy of Saint Martin's University not to notify local law enforcement when sexual misconduct occurs unless a victim wishes or there is an emergency threat to

health or safety of the campus community. Victims have the option to notify law enforcement directly or to be assisted in doing so by campus authorities. If requested, campus officials can facilitate reporting to local law enforcement but may also respect a victim's request not to do so.

2. Consider securing immediate professional support (e.g., counseling, victim advocacy, medical services, etc.) to assist you in the crisis. Contact information for these resources is included below.
3. If you are on campus during regular business hours, you may go to the Saint Martin's Counseling and Wellness Center, located in the Lynch Building. You may also contact SafePlace (521 Legion Way SE, Olympia, WA 98501) at 360-754-6300 for guidance, support and information about sexual assault, domestic and sexual abuse 24 hours a day. These are both confidential resources. After regular business hours, or in any situation where a victim wishes, local resources are also available and may be able to provide confidential assistance:
 - The Crisis Clinic, 360-586-2800, (information/referral to community resources)
 - St. Peter Hospital, 360-491-9480
 - SafePlace (rape relief/women's shelter), 360-754-6300 www.safeplaceolympia.org
 - Domestic Violence Hotline, 1-800- 562-6025
4. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible is important in the case of rape or sexual assault. Providence Saint Peter Hospital's Sexual Assault Clinic offers specially trained staff to handle examinations, counseling referrals and follow-up medical care. Medical evidence may be collected up to 5 days (120 hours) after an assault, although the likelihood of capturing evidence decreases over time. Having medical evidence collected promptly does not commit you to reporting or prosecuting the assault. The evidence may be stored until you make a decision whether or not you want to report to law enforcement.
 - To preserve evidence, it is recommended you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care as evidence may still be recoverable.
 - Typically, if police are involved or will be involved, they will obtain evidence from the scene and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing and any other pertinent articles for use as evidence. It is best to allow police to secure items in evidence containers but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean **paper** bag or clean sheet to avoid contamination.

- If you have physical injuries take photographs or have them photographed with a date stamp on the photo.
 - Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection or to offer proof of a campus policy violation.
 - Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details if you have time and the ability to do so.
 - If you obtain external orders of protection (e.g., restraining orders, injunctions, protection from abuse), please notify the Office of Public Safety and provide them with a copy of the orders so they may be enforced on campus.
5. Even after the immediate crisis has passed consider seeking support from Counseling and Wellness Center. They can also refer you to additional resources outside of the University.
 6. Contact the Director of Public Safety, or either of the two Assistant Directors of Public Safety, at 360-438-4555 if you need assistance with any protective measure concerns such as University no-contact orders or other protective measures. The Director and Assistant Directors of Public Safety will also assist in any providing information on how to obtain protective or restraining orders from the Thurston County judicial system. The University is able to offer reasonable academic supports, changes to living arrangements, transportation resources or modifications, escorts, no contact orders, counseling services and other supports and resources as needed by a victim. The University is also able to offer information about legal assistance (such information does not include legal advice), visa/immigration assistance and student financial aid considerations for victims.

LEGAL DEFINITIONS

Rape is generally defined by states as forced sexual intercourse. It may also include situations where the victim is incapable of giving consent due to incapacitation by means of disability or alcohol or other drugs. Many rapes are committed by someone the victim knows, such as a date or friend.

Under Washington State law, rape is defined several different ways depending on the actions of

the perpetrator and the age of the victim. In addition, the crime of Domestic Violence includes, but is not limited to, rape in the first and second degree. Examples of the definition of rape include, but are not limited to:

- Sexual intercourse with another person by forcible compulsion where the perpetrator or an accessory:
 - Uses a weapon or the threat of a weapon, or
 - Kidnaps the victim, or
 - Inflicts serious physical injury to the victim, or
 - Feloniously enters into the building or vehicle where the victim is situated.

- Sexual intercourse with another person by forcible compulsion.

- Sexual intercourse with another person when the victim is incapable of consent by reason of physical helplessness (include being under the influence of alcohol and/or drugs) or mental incapacitation.

- Sexual intercourse with a person who is developmentally disabled and perpetrator has supervisory authority over the victim or was providing transportation in the course of their employment.

The complete Washington State rape and sexual assault offense definitions are found in the following Chapters of the Revised Code of Washington:

[Chapter 26.50 RCW](#)

[Chapter 9A.44 RCW](#)

[Chapter 9A.64 RCW](#)

[Chapter 10.99 RCW](#)

OTHER SEXUAL OFFENSES AND DEFINITIONS

Other sex offenses found in Washington state law include: Child molestation; Sexual misconduct with a minor; indecent liberties; and voyeurism. [\[Chapter 9A.44 RCW\]](#)

As defined In Washington state law, sexual intercourse has its ordinary meaning and occurs upon any penetration, however slight, and means any penetration of the vagina or anus however slight, by any object, when committed on one person by another, whether such persons are of the same or opposite sex. It also means any act of sexual contact between

persons involving the sex organs of one person and the mouth or anus of another whether such persons are of the same or opposite sex. [\[RCW 9A.44.010\(1\)\]](#)

As defined in Washington state law, sexual contact means any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desires of either party or a third party. [\[RCW 9A.44.010\(1\) and \(2\)\]](#)

In Washington state law, sexual consent is defined as - At the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact. [\[RCW 9A.44.010\(7\)\]](#)

SAINT MARTIN'S UNIVERSITY SEXUAL MISCONDUCT POLICY OVERVIEW

Sexual Misconduct is strictly prohibited by Saint Martin's University. Sexual Misconduct includes sex discrimination, sexual harassment, and sexual violence including, but not limited to, non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, domestic violence, dating violence, and stalking. Sexual Misconduct, as defined by the University, overlaps with the crimes of rape, sexual assault, sexual harassment, stalking, dating violence and domestic violence. Victims of this conduct are protected by state and federal laws, including Title IX of the Education Amendments of 1972 ("Title IX") [\[Saint Martin's Title IX Information\]](#), and the Clery Act, which mandate the content of this policy.

Allegations of Sexual Misconduct will be investigated and acted upon by the University, regardless of where the conduct occurred, and all reports will be reviewed by the Title IX Coordinator. In the event that allegations of Sexual Misconduct are confirmed, the University will take appropriate disciplinary actions in accordance with this policy, the Student Code of Conduct, and the Employee Handbook. The University will also employ, where necessary, interim protection measures such as interim suspensions and/or no contact orders in any case where an individual's behavior represents a risk of violence, threat, or predation.

Anyone with knowledge about Sexual Misconduct is encouraged to report it immediately. The University will make available to victims protective measures irrespective of whether a victim chooses to report to local law enforcement or Public Safety, or pursues a formal complaint through the University resolution process

SAINT MARTIN'S UNIVERSITY TITLE IX COORDINATOR

Please direct questions about this policy and Title IX to the University's Title IX Coordinator:

Associate Vice President for Human Resources, Cynthia Johnson, 360-486-8131,

DEFINITIONS

1. Sexual Harassment – is unwelcome conduct of a sexual nature. It includes, but is not limited to, unwanted sexual advances, requests for sexual favors, and other visual, verbal, nonverbal, or physical conduct of a sexual nature when:
 - a. the conduct denies or limits an individual's ability to participate in or benefit from the University's educational programs;
 - b. the conduct creates a hostile, intimidating, or offensive working or educational environment; or
 - c. submission to or rejection of such conduct is used as a basis for employment, salary, or other benefit changes affecting an employee or academic decisions affecting a student.

Sexual Harassment, which includes acts of Sexual Violence, Domestic Violence, Dating Violence, Sexual Assault, and Stalking, is a form of sex discrimination that is prohibited by state and federal laws.

Sexual harassment in the workplace, on campus, or in the classroom, can be between co-workers, individuals of the same gender, a manager and an employee, and an employee and a vendor or customer.

2. Sexual Violence – physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual Violence includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual Violence is a form of Sexual Harassment covered by this policy and prohibited by Title IX. (The complete legal definitions of the various offenses can be found in the Revised Code of Washington State law. Some of the relevant definitions are located in Appendix I of this policy.)
3. Dating Violence – violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - a. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - b. Dating violence does not include acts covered under the definition of domestic violence.

A dating relationship means a social relationship of a romantic nature. The existence of such a relationship shall be determined based on consideration of the following factors:

- The length of the relationship;
 - The nature of the relationship;
 - The frequency of interaction between the parties.
4. Domestic Violence – includes asserted violent misdemeanor and felony offenses committed: –
- a. By a current or former spouse or intimate partner of the victim;
 - b. By a person with whom the victim shares a child in common;
 - c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
 - e. By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
5. Sexual Assault – means an actual sexual contact with another person without that person’s consent. Sexual assault includes, but is not limited to:
- a. Involvement in any sexual contact when the victim is unable to consent.
 - b. Intentional and unwelcome contact with the breasts, buttock, groin or genitals or touching another with any of these body parts or coercing or forcing or attempting to coerce or force another to touch the perpetrator or themselves with or on any of these body parts.
 - c. Any touching of the sexual or other intimate parts of a person done for the purpose of gratifying sexual desire of either party or a third party.
 - d. Sexual intercourse has its ordinary meaning and occurs upon any penetration, however slight, without consent, including acts commonly referred to as “rape.”
6. Stalking – means engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
- a. Fear for the person’s safety or the safety of others; or
 - b. Suffer substantial emotional distress.
- For the purpose of this definition –
- *Course of Conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
 - *Reasonable Person* means reasonable person under similar circumstances and with similar identities to the victim.
 - *Substantial Emotional Distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

7. Consent – is an understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent must be informed, freely and actively given. If coercion, intimidation, threats, or physical force are used there is no consent.

There is no consent if a person is mentally or physically helpless in a manner the person cannot understand the fact of, or make a reasonable judgment as to the nature or harmfulness of the conduct, or extent of the sexual situation. This includes incapacitation due to mental disability, alcohol or drug consumption, or being asleep or unconscious. A person who knows or reasonably should have known another person is incapacitated may not engage in sexual activity with the person.

There is no consent when there is force, expressed or implied, or use of duress or deception upon the victim which overcomes resistance. Forcible compulsion also means the threat of force, expressed or implied placing a person in fear of death or physical injury to herself, himself, or another person, or in fear they or another person may be kidnapped unless they consent to sexual activity. In the absence of mutually understandable words or actions, it is the responsibility of the initiator, or the person who wants to engage in the specific sexual activity to make sure that he/she has the consent from his/her partner(s).

Silence does not necessarily constitute consent. Past consent to sexual activity does not imply ongoing future consent. Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent. Effective consent may not be given by minors less than 16 years old.

8. Retaliation – Any adverse treatment (beyond a slight or annoyance) that is taken because a person engaged in protected activity (e.g., opposing discriminatory practices, filing a discrimination or discriminatory harassment complaint, or participating in an investigation, conduct process, or an attempt at resolution, etc.) or for the purpose of interfering with right or privilege granted under anti-discrimination laws.

For a list of policies and procedures applicable to students please see:

[Student Handbook – Student Code of Conduct](#) – containing policies and procedures related to student behavior and conduct.

Sexual harassment is a form of misconduct that undermines the integrity of the academic environment. By University policy sexual harassment is prohibited. All members of the University community, especially Cabinet officers, faculty, staff, and other individuals who exercise supervisory authority, have an obligation to promote an environment free of sexual harassment.

Any complaints or inquiries regarding sexual harassment of a student by an officer, faculty member, or staff member should be brought to the immediate attention of the Associate Vice President Human Resources/Title IX Coordinator, Dean of Students, Provost/Vice President Academic Affairs or Director of Public Safety. Any complaints or inquiries regarding sexual harassment of a student by another student should be brought to the immediate attention of the Associate Vice President Human Resources/Title IX Coordinator, Dean of Students, Provost/Vice President Academic Affairs, Director of Public Safety, or the Director of Housing and Residence Life. The University will investigate such claims promptly and thoroughly. If, for any reason, a student wishes to complain or inquire regarding sexual harassment, but feels it would not be appropriate to raise such issues with the positions named above, the student may inquire or complain to any Department Chair or any officer of the University at the level of Dean or above, and such inquiries or complaints will receive a prompt and thorough investigation. If harassment is established, the University will discipline the offender. Disciplinary action for violations of this policy can range from verbal or written warnings, up to and including immediate termination from employment or dismissal from Saint Martin's University.

CAMPUS PROCEDURES FOR ADDRESSING SEXUAL MISCONDUCT, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING, SEXUAL HARASSMENT, AND OTHER ACTS OF SEX AND GENDER DISCRIMINATION

For offenses including sexual misconduct or other gender based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct, and stalking, sanctions/disciplinary actions range from warning to expulsion/termination. Serious and violent incidents and acts of non-consensual sexual intercourse (the policy equivalent to the crime of rape) usually result in suspension, expulsion, or termination of employment. Lying to investigators (and/or failing to participate in an investigation) can result in disciplinary actions up to termination of employment for employees and additional consequences under the Student Code of Conduct for students. [\[Link to College/University sanction statement\]](#)

Procedurally, when Saint Martin's University receives a report of sexual misconduct, gender-based violence, or other sex or gender discrimination, the campus Title IX Coordinator is notified. If the victim wishes to access local community agencies and/or law enforcement for support, the University will assist the victim in making these contacts. The Title IX Coordinator will offer assistance to victims in the form of interim or long-term measures such as opportunities for employment/academic accommodations; changes in housing for the victim or the responding student; visa and immigration assistance; changes in working situations; and other assistance as may be appropriate and available on campus or in the community (such as no contact orders, campus escorts, transportation assistance, targeted interventions, etc.). If the victim so desires, that individual will be connected with a counselor on- or off-campus, as well as an on- or off-campus victim's advocate. No victim is required to take advantage of these services and resources, but the University provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports, and procedures, in the form of this document, is provided to all victims, whether they are students, employees, guests, or visitors.

When appropriate upon receipt of notice, the Title IX Coordinator will cause a prompt, fair, and impartial process to be initiated, commencing with an investigation, which may lead to the imposition of sanctions based upon a preponderance of evidence (what is more likely than not), upon a responding student or other accused individual. Procedures detailing the investigation and resolution processes of the University can be found online in the [Employee Handbook Chapter 4.7](#) and Student Handbook, [Appendix C Sexual Misconduct Policy](#). The Coordinator is ultimately responsible for assuring in all cases the behavior is brought to an end, the University acts to reasonably prevent its recurrence, and the effects on the victim and the community are remedied. The Coordinator is also responsible for assuring that training is conducted annually for all advocates, investigators, hearing officers, panelists, and appeals officers that encompass a hearing process that protects the safety of victims and promotes accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation, and other behaviors that can be forms of sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process of protecting the safety of victims and promoting accountability for those who commit offenses.

The investigation and records of the resolution conducted by Saint Martin's University are maintained confidentially. Information is shared internally between administrators who need to know, but a tight circle is kept. Where information must be shared to permit the investigation to move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation is maintained in accordance with Washington state law and the federal FERPA statute. Any public release of information needed to comply with the open crime logs or timely warning provisions of the Clery Act will not include the names of

victim or information that could easily lead to a victim's identification. Additionally, the University maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures. Typically, if faculty members or administrators are asked to provide accommodations for a specific student or employee, they are told that such accommodations are necessary under Title IX or the Clery Act, but they are not given any details of the incident, or what kind of incident it is. Irrespective of state law or public records access provisions, information about victims is maintained privately in accordance with Title IX and FERPA.

In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence, or other sex or gender-based discrimination covered under the federal law, Title IX, the person bringing the accusation and the responding party are entitled to the same opportunities for a support person of their choice throughout and to fully participate in the process, including any meeting, conference, hearing, appeal, or other procedural action. The role of advisors is described in detail in the Student Code of Conduct, Article V, Item 8 [\[APPENDIX 6 - DISCIPLINARY PROCEDURES\]](#). Once complete, the parties will be informed, in writing, of the outcome, including the finding, the sanctions (if any), and the rationale therefor. Delivery of this outcome to the parties will occur without undue delay between notifications. All parties will be informed of the University's appeal processes, and their rights to exercise a request for appeal. Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final.

Both Title IX and the Clery Act provide protections for whistleblowers who bring allegations of non-compliance with the Clery Act and/or Title IX to the attention of appropriate campus administrators. The University does not retaliate against those who raise concerns of non-compliance. Any concerns should be brought to the immediate attention of the campus Title IX Coordinator, Associate Vice President for Human Resources and/or to officials of the U.S. Department of Education.

RIGHTS OF VICTIMS

In accordance with Title IX of the Education Amendments of 1972, the Jeanne Clery Act (as amended by Section 304 of the 2013 reauthorization of the Violence Against Women Act), and guidance provided by the United States Department of Education and Office of Civil Rights, Saint Martin's University affirms that complainants in cases of reported sexual assault, sexual harassment, domestic or dating violence, and/or stalking have the fundamental right to continue their academic and extracurricular activities in a safe and nondiscriminatory campus environment free of intimidation, coercion, and retaliation. Consequently, the university is

committed to supporting those who report sexual misconduct and intimate partner violence occurring on or off campus by connecting them to campus and community resources, promptly and sensitively responding to their complaints, and providing them with reasonable accommodations and interim remedies. More specifically, victim's rights include, but are not limited to, the following:

- The opportunity to file a formal complaint with the university Provost, Student Affairs, Public Safety, or the Title IX Coordinator to be addressed promptly, fairly, and impartially through the student conduct process as outlined in the *Student Handbook*;
- Options for reporting the incident to the Lacey Police Department or other local law enforcement agency and assistance with preserving evidence (if applicable);
- A reasonable expectation of confidentiality, including the right to decline university services and law enforcement intervention, redaction of university reports and records, and the provision of undisclosed accommodations and counseling services*;
- Confidential mental health services through the university's Counseling and Wellness Center;
- Awareness of community resources related to sexual assault and harassment, discrimination, and/or domestic or dating violence, including victim advocacy, legal services, mental health providers, and support groups;
- Assistance in procuring medical services;
- Reasonable adjustments to class schedules or attendance expectations to minimize or eliminate contact with the alleged perpetrator;
- Reasonable adjustments to schedules, attendance, or responsibilities related to campus employment to minimize or eliminate contact with the alleged perpetrator;
- Issuance and enforcement of no-contact orders;
- Alternative university housing and transportation options;
- On-campus escort services through the Office of Public Safety;
- Meetings with the Coordinator of Student Conduct to discuss options for resolving a complaint, review the Administrative Hearing process and complainants' rights, and address safety concerns;
- Participation in any student conduct hearings associated with the complaint and the option to be accompanied by an advisor;
- Accommodations to ensure the complainant's physical and emotional wellbeing during a conduct hearing, including the ability to participate from another location by phone or video conferencing;
- Written notice of hearing outcomes, sanctions, and appeals and the ability to appeal the hearing's initial findings.

*Confidentiality: Disclosures made to fulltime counselors in the Counseling and Wellness Center and to clergy serving in a pastoral capacity are treated as privileged communication and will not be shared with any other member of the university community. Reports made to responsible employees of the institution (e.g. faculty, Public Safety officers, Resident Assistants, etc.), however, are required to be shared with the employees' direct supervisor(s), forwarded to the

Title IX Coordinator and Dean of Students for review, and may require additional follow-up by university officials. This does not necessarily mean that the report will result in a student conduct hearing, but the university must weigh the complainant's desire for confidentiality against the safety of the campus community and take reasonable steps to investigate and respond to the complaint. The details of such reports will be shared only on a need-to-know basis, and the university will respond with the utmost sensitivity and discretion in seeking to ensure a safe and nondiscriminatory campus environment for the reporting party and all community members. Those who request confidentiality or that the complaint not be pursued should know that the university's ability to maintain confidentiality or respond to the incident may be limited, depending on the situation and level of risk.

XII. REGISTERED SEX OFFENDER INFORMATION

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the University is providing a link to the Thurston County and Washington State Sex Offender Registry. All sex offenders are required to register in the state of Washington and to provide notice of each institution of higher education in the state at which the person is employed, carries out a vocation, or is a student. [Thurston County Sex Offender Watch](#) – [Washington Sex Offender Information](#)

In addition to the above notice to the State of Washington, all sex offenders are required to deliver written notice of their status as a sex offender to the University's Director of Public Safety no later than three (3) business days prior to their enrollment in, employment with, volunteering at, or residence in the University. Such notification may be disseminated by the University to, and for the safety and well-being of, the campus community, and may be considered by the University for enrollment and discipline purposes.

Sex offenders have always lived in our communities and law enforcement has no legal authority to direct where sex offenders may or may not live. Unless court ordered restrictions exist, an offender is constitutionally free to live wherever he or she chooses. However, the Community Protection Act of 1990 requires those convicted of sex offenses must register, with the primary legislative intent, "to assist law enforcement agencies' efforts to protect their communities" by providing relevant and necessary information.

The Thurston County Sheriff and Lacey Police Department releases sex offender information pursuant to [RCW 4.24.550](#). The content of the information made available, as well as where and how the information is disseminated, is restricted to the standards set forth in Chapter 4.24

Revised Code of Washington and by the Washington State Supreme Court ruling in State v. Ward, 123 WA 2d 488 (1994).

The Washington State Legislature has determined the relevant and necessary information disclosed to the public shall be related to: (a) the level of risk posed by the offender to the community; (b) the location where the offender resides, intends to reside, or is regularly found; and (c) the needs of the affected community members for information to enhance their individual and collective safety.

LEVELS OF SEX OFFENDERS - DEFINED

Level I

Low risk to re-offend within the community at large. Information shall be shared with other law enforcement agencies and, upon request, the Sheriff may disclose relevant, necessary and accurate information to any victim or witness to the offense and to any individual community member who lives near the residence where the offender resides, expects to reside, or is regularly found. Level I offenders MAY NOT be the subject of general public notification.

Level II

Moderate risk to re-offend within the community at large. Relevant, necessary and accurate information concerning risk Level II offenders may be disclosed to public and private schools, child day care centers, family day care providers, businesses and organizations that serve primarily children, women or vulnerable adults, and neighbors and community groups near the residence where the offender resides, expects to reside, or is regularly found. Level II offenders MAY NOT be the subject of general public notification.

Level III.

High risk to re-offend within the community at large. Relevant, accurate and necessary information concerning offenders classified as risk Level III may be disclosed to the public at large.

REGISTERED SEX OFFENDER INFORMATION LINK

The Thurston County Sheriff's Office provides access to the Registered Sex Offender Data Base for Thurston County. By clicking on [Search of Offenders in Your Area](#), and entering Saint Martin's address all registered sex offenders within ½ mile of campus are displayed. Further searches can be conducted from this site for different distances from campus. The [Sheriff's web page](#) also contains information on how to register for email alerts, safety tips, links to other resources and how to contact the Thurston County Sheriff's Office.

The address for Saint Martin's University is:

5000 Abbey Way SE

XIII. MISSING STUDENT NOTIFICATION POLICY AND PROCEDURE

Per 34 CFR 668.46(h) and the Higher Education Opportunity Act (P.L. 110-315), Saint Martin's University is required to maintain a missing student notification policy and protocol for on-campus residents.

It is the policy of Saint Martin's University for on-campus residents to identify a confidential contact to be notified within 24-hours of the University's learning an on-campus resident student has gone missing. Further, anyone suspecting an on-campus resident student has been missing for twenty-four hours must immediately notify the Office of Public Safety or the Office of Housing and Residence Life.

Public Safety and Housing and Residence Life will respond to the report of a missing student and begin an immediate investigation. Public Safety's response will include notification to the Lacey Police Department if the investigation confirms the subject student is missing. If the missing student is under the age of 18 and not emancipated, Saint Martin's University will notify the custodial parent or guardian.

A resident student may identify a missing person contact, separate from the Emergency Contact Person if the student chooses. The University will notify this person if it is determined the student has gone missing. Missing Person Contact information will be communicated to Housing and Residence Life staff as part of the Housing Contract application process. All information provided will be kept confidential and will be accessible only to authorized University officials and law enforcement involved in the missing person investigation.

ANNUAL FIRE SAFETY REPORT

Residence Hall Fire Safety Reporting

In accordance with the Higher Education Opportunities Act of 2008, Saint Martin's University is providing mandatory fire safety information as part of this Annual Report. (Detailed fire data for all on-campus student housing facilities can be found in [Appendix 4](#) at the end of this report).

All reports of fires and fire alarm activations are maintained in a database within the Department of Public Safety. Data collected includes, but is not limited to, the building name; alarm location; time and date; the number and cause of each fire; any and all injuries; any fatalities; and dollar values for property damaged by the fire (as assessed by the University).

Description of Student Housing Fire Systems

Every University residence hall has a monitored interior fire alarm system activated by smoke detectors or fire alarm pull stations.

Spangler Hall

Hallways and common areas have smoke detectors, horns and strobes and sprinklers. Student residences have smoke detectors, horns and sprinklers. All residence hall doors have automatic fire alarm closers.

Baran Hall

Hallways and common areas have smoke detectors, horns and strobes and sprinklers. Student residences have smoke detectors, strobes and sprinklers.

Burton Hall

Student residences have smoke detectors, horns and strobes.

Parsons Hall

Hallways and common areas have smoke detectors, horns and strobes and sprinklers. Student residences have smoke detectors, horns and strobes and sprinklers.

Please see [Appendix 3](#) for a list of all student residence halls, their fire suppression and detection systems, and fire drills conducted.

Residence Housing Fire Safety Regulations

Tampering with the sprinkler system, fire alarms, fire extinguishers or other fire safety equipment is prohibited.

Fire drills are conducted each semester. Drills are intended to familiarize residents with the safe and proper exiting procedures and routes to promptly evacuate buildings. All occupants are required to evacuate the building in a timely manner when the fire alarm sounds. Anyone refusing to evacuate is liable for sanctioning and may be suspended from the residence hall. Occupants are not to re-enter buildings until directed to do so by a University official.

Extension cords may not be used as a substitute for permanent wiring. Extension cords should be plugged directly into an approved receptacle outlet and can serve only one appliance or fixture not rated with a capacity higher than the cord. Cords should be rated for a 15 amp service. Cords must be maintained in good condition without splices, deterioration or damage and must not be subject to environmental damage or physical defect. Make sure that all electrical appliances and cords are in good condition and UL approved. Do not overload electrical outlets. Use fuse-protected multi-outlet power strips and extension cords when necessary.

Do not tamper with or cover smoke detectors, or remove batteries from smoke detectors. Doing so will result in fines and possible judicial conduct proceedings.

Many electrical appliances can be fire hazards. Do not leave coffee pots, irons or other such appliances unattended, even for short periods of time.

The following are not permitted in Saint Martin's residence halls:

- Open-element appliances such as hot plates, space heaters or toasters;
- Candles, incense or other items with an open flame;
- Fireworks or other explosives. These items are prohibited on University property.

Propping open fire doors will result in disciplinary action, which may include a \$50 fine.

Extinguish all smoking materials properly and thoroughly. Never store flammable substances in your room or apartment. Unauthorized use of candles and live holiday decorations is not permitted in University buildings. Be aware that transmitting a false alarm is a criminal offense that endangers the lives of both building occupants and emergency personnel. It is also an offense to prop open fire doors or to tamper in any way with alarm equipment, electromagnetic locks, or other life safety devices or to block or obstruct paths of egress.

What to Do in Case of Fire

If you discover a fire in a campus building:

- Immediately pull the nearest fire alarm as you exit the building.
- When evacuating the building, remember to feel doors before opening them to be sure there is no fire danger on the other side. If you must enter a smoke-filled room or hallway, stay low, keeping one hand on the wall to avoid disorientation and crawl to the nearest exit, keeping your head near the floor.
- Once you are safely away from danger, call the emergency number for your campus to report the fire. If you are off campus, dial 911.
- Leave the building at once but stand by to direct emergency teams to the location of the fire.

Fire Response Dos and Don'ts

- DO treat every alarm as an emergency. If an alarm sounds, exit the building immediately.
- DON'T assume that a fire alarm is a drill or test. All building alarm systems are tested as required by law, but these tests are announced in advance.
- DO remain in your room if you cannot get out of the building because of heat or smoke.
- Call Public Safety right away. Keep the door closed and await assistance from the Fire Department. If smoke is entering around the door, stuff the crack under the door with sheets, clothes, or blankets. If possible, open the window and wave a brightly colored garment or towel from your window—the Fire Department will be looking for this sign.
- DO close the door behind you if it is safe to leave your room.
- DON'T waste time collecting personal valuables. Take your keys so that you can reenter your room if exit from the building is not possible.
- DON'T use an elevator during a fire emergency: always use the fire stairs.
- DO make your presence known to other occupants and to Public Safety by telephone if you are injured or disabled. Emergency staff members will assist you in leaving the building.

APPENDIX 1

Definitions of Reportable Crimes

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

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

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

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

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

Drug/Narcotic Law Violations: The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrest for violations of state and local laws, specifically those related to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics-manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

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

Hate Crime (Also known as bias crime): A criminal offense committed against a person or property motivated, in whole or in part, by the offender's bias against a race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin.

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

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

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

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

Negligent Manslaughter: The killing of another person through gross negligence.

Rape: The carnal knowledge of a person, forcibly and or against a person's will, including sexual assault with an object and forcible sodomy.

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

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

Stalking: Without lawful authority and under circumstances not amounting to a felony attempt of another crime, a person intentionally and repeatedly harasses or repeatedly follows another person, and the person being harassed or followed is placed in fear the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one a reasonable person in the same situation experience under all the circumstances. Also, the stalker either intends to frighten, intimidate, or harass the person, or knows or reasonably should know the person is afraid, intimidated or harassed even if the stalker did not intend to place the person in fear or intimidated or harass the person.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

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

Additional Clery Act Hate Crime Definitions:

Definitions

In addition to any of the crimes above, the following acts are now reportable as Hate Crimes under the Clery Act, when motivated by prejudice on account of race, gender, religion, sexual orientation, ethnicity, or disability.

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

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

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

Destruction/Damage/Vandalism of Property (Except "Arson"): To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control

Clery Definitions:

Awareness programs: Trainings provided by the university to increase knowledge about the existence of certain crimes and the resources available on campus and in the community as well as the university's position on these crimes.

Business day: Monday through Friday, excluding any day when the institution is closed.

Bystander Prevention: Safe and positive ways that witnesses can intervene to deter crimes.

Campus: (i) Any building or property owned or controlled by an institution within the same reasonable contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (ii) Any building or property that is within or reasonably contiguous to the area identified in paragraph (i) that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as food or other retail vendor).

Campus Security Authority: (i) A campus police department or a campus security department of an institution. (ii) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (i) of this definition, such as an individual who is responsible for monitoring entrance into institutional property. (iii) Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. (iv) An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor the official is not considered a campus security authority when acting as a pastoral or professional counselor.

Clery Geography: (i) For the purposes of counting annual Clery crime statistics Clery geography includes – (A) Buildings and property that are part of the institution’s campus; (B) The institution’s non-campus buildings and property; and (C) Public property within or immediately adjacent to and accessible from the campus. (ii) for the purpose of maintaining the crime log requirements, Clery Geography includes, in addition to the locations in paragraph (i), areas within the patrol jurisdiction of the campus police or the campus security department.

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

Domestic Violence: A felony or misdemeanor crime of violence committed: (A) By a current or former spouse or intimate partner of the victim; (B) By a person with whom the victim shares a child in common; (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (E) By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction on which the crime of violence occurred

Hate Crime: A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. For the purpose of this section, the categories of bias include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

Hierarchy Rule: When counting multiple offenses, the FBI’s UCR Hierarchy Rule is used. Under this rule, when more than one Criminal Offense was committed during a single incident only the most serious offense is counted. A single incident means the offenses were committed at the same time and place.

Ongoing Prevention and Awareness Campaigns: Trainings and marketing provided by the university to increase knowledge about the existence of certain crimes and the resources available on campus and in the community as well as the university’s position on these crimes.

Primary Prevention Programs: Trainings and marketing efforts focused on influencing knowledge, attitudes, and behaviors of those most at risk to perpetrate.

Proceeding: The rules by which a hearing occurs and administrators determine the outcome in a disciplinary proceeding.

Result: The outcome of a hearing.

Risk Reduction: Strategies that decrease the likelihood of becoming a victim are targeted towards potential victims or bystanders who learn strategies to use in-the-moment.

ON CAMPUS - Is what most people traditionally think of as the main part or core of an institution. It means: 1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including Residence Halls; and 2) Any building or property within or reasonably contiguous to the main or core property, owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food vendor or other retail vendor).

NON CAMPUS BUILDING OR PROPERTY - Means any building or property owned or controlled by a student organization officially recognized by the institution; or

any building or property owned or controlled by an institution s 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 - Public property means all public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus, or immediately adjacent to and accessible from the campus.

Residential Facilities: Parsons Hall, Spangler Hall, Baran Hall, and Burton Hall.

APPENDIX 2 – 2013-2015 Clery Crime Statistics

The *Clery Act* requires institutions to disclose three general categories of crime statistics:

- 1. Types of Offenses** - Criminal Homicide, including a) murder/ non-negligent manslaughter, and b) negligent manslaughter; Sex Offenses including; a) Rape, b) Fondling, c) Incest, and d) Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; Arson; Domestic Violence; Dating Violence; and Stalking.
- 2. Arrests and Referrals for Disciplinary Action** – Involving illegal weapons possession, violation of state drug and liquor laws.
- 3. Hate Crimes** - Included in any of the above listed types of offenses or any other crime involving bodily injury with evidence the victim was intentionally selected because of the perpetrator's bias.

CRIMINAL OFFENSES	TOTAL CRIMINAL OFFENSES <i>ON CAMPUS</i>			TOTAL CRIMINAL OFFENSES <i>IN RESIDENCE HALLS</i>			TOTAL CRIMINAL OFFENSES <i>NON CAMPUS</i>			TOTAL CRIMINAL OFFENSES <i>ON PUBLIC PROPERTY</i>		
	2013	2014	2015	2013	2014	2015	2012	2013	2014	2012	2013	2014
Criminal Homicide												
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
Sex Offenses												
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	2	1	0	2	0	0	0	0	0	0	0	0
incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	8	1	4	8	0	3	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0

Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0		0	0	0	0	0	0	0	0	0

	TOTAL ARRESTS <u>ON CAMPUS</u>			TOTAL ARRESTS <u>IN RESIDENCE HALLS</u>			TOTAL ARRESTS <u>NON-CAMPUS PROPERTY</u>			TOTAL ARRESTS <u>ON PUBLIC PROPERTY</u>		
ARRESTS	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Illegal Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violation	0	0	0	0	0	0	0	0	0	0	0	0

	TOTAL DISCIPLINARY ACTIONS <u>ON CAMPUS</u>			TOTAL DISCIPLINARY ACTIONS <u>IN RESIDENCE HALLS</u>			TOTAL DISCIPLINARY ACTIONS <u>NON-CAMPUS PROPERTY</u>			TOTAL DISCIPLINARY ACTIONS <u>ON PUBLIC PROPERTY</u>		
DISCIPLINARY ACTIONS	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
Illegal Weapons Possession	1	0	1	1	0	0	0	0	0	0	0	0
Drug Law Violation	19	10	1	16	7	1	0	0	0	0	0	0
Liquor Law Violation	40	25	23	38	25	23	0	0	0	0	0	0

HATE CRIMES	2013	2014	2015	2012	2014	2015	2013	2014	2015	2013	2014	2015
Criminal Homicide												
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
Sex Offenses												
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0

Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	1	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	1	0	0	0	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	1	0	0	0	0	0	0	0	0	0

APPENDIX 3

2015 DESCRIPTION OF STUDENT HOUSING FIRE DETECTION AND SUPPRESSION SYSTEMS

BUILDING	BUILDING FIRE ALARM & MONITORED	ROOM DETECTION	FULL SPRINKLER SYSTEM	FIRE EXTINGUISHER DEVICES	FIRE DRILLS CONDUCTED
Parsons Hall	Yes	Yes	Yes	Yes	2
Spangler Hall	Yes	Yes	Yes	Yes	2
Burton Hall	Yes	Yes	No	Yes	2
Baran Hall	Yes	Yes	Yes	Yes	2

APPENDIX 4

2015 TOTAL NUMBER OF FIRES BY RESIDENCE HALL

Building	Total Fires in Each Building	Fire Number	Date	Time	Cause of Fire	Number of Injuries Required Treatment at a Medical Facility	Number of Deaths Related To Fire	Value of Property Damage Caused By Fire	Case Number
Parsons Hall	0	0				0	0	0	
Spangler Hall	0	0				0	0	0	
Burton Hall	0	0				0	0	0	
Baran Hall	0	0				0	0	0	

APPENDIX 5 – SUMMARY OF FIRES

SUMMARY OF FIRES									
NAME OF FACILITY	2013			2014			2015		
	fires	injuries	deaths	fires	injuries	deaths	fires	injuries	deaths
Parsons Hall	0	0	0	0	0	0	0	0	0
Spangler Hall	0	0	0	0	0	0	0	0	0
Burton Hall	0	0	0	0	0	0	0	0	0
Baran Hall	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0

Appendix 6 – Disciplinary Procedures

Student Handbook Article V: Disciplinary Procedures

1. Reporting: Any member of the University community may report violations of the Code of Conduct or file a complaint with the Dean of Student Affairs, Coordinator of Student Conduct, Housing and Residence Life, or the Office of Public Safety. To initiate the disciplinary process, a written report must be submitted to the Coordinator of Student Conduct, the Office of Housing and Residence Life, Public Safety, or the Office of Student Affairs. The complaint may be in the form of an incident report or a letter and should be submitted as soon as possible after the event takes place, though no statute of limitations exists for Code violations. In cases in which no written reports are available, the Dean of Student Affairs may permit a Student Conduct Administrator or Public Safety official to interview students involved and submit a written report to the Coordinator.

2. Determination of Review: The Coordinator of Student Conduct, Dean of Student Affairs, or other Student Conduct Administrator will make a determination on how each written complaint will be reviewed based upon the information available in the initial report and any corroborating information provided by other sources.

The Coordinator or designee may conduct an investigation prior to initiating disciplinary proceedings to determine if a violation of the Code has occurred or if there is enough information to suggest charges should be filed. In cases involving more than one respondent, the Student Conduct Administrator may charge each person individually and schedule hearings jointly or separately. Five different means are available to resolve an incident: formal mediation, statement of responsibility, community standards hearing, administrative hearing, and Student Conduct Committee hearing.

a. Formal Mediation: Saint Martin’s University community members are encouraged to resolve differences, conflicts, and misunderstandings directly and informally. Some cases, however, require intentional intervention on the part of University officials and/or Student Conduct Administrators. In such instances, interpersonal conflicts will be referred to an unbiased mediator for resolution. Under most circumstances, these mediations will not result in formal conduct findings or sanctions; however, allegations of significant policy violations may be subject to further investigation and/or disciplinary action. In addition, students are expected to comply with recommendations and/or directives provided by the mediator, and failure to do so may warrant a formal conduct hearing. Mediation will not be used to resolve sexual violence complaints.

b. Statement of Responsibility: At the discretion of the Coordinator of Student Conduct or designee, some students accused of minor, first-time violations of University or Housing and Residence Life policies may be provided with the opportunity to accept responsibility for their behavior through a statement of responsibility in lieu of a formal conduct hearing. The statement itself will serve as the student conduct sanction, and guidelines will vary depending on the type, complexity, and severity of the alleged violation. The Student Conduct Administrator assigned to the case will be solely responsible for determining if the statement provided is sufficient and may request additional information and/or reflection. Students who choose not to submit a

statement of responsibility or who fail to meet the criteria will be scheduled for a formal conduct hearing.

c. Community Standards Hearing: Reports of modest, first-time violations of University or Housing and Residence Life policies may be reviewed by a Residence Director or other Student Conduct Administrator through a community standards hearing. Community standards hearings are conducted as one-on-one meetings between the student and Student Conduct Administrator in which they review statements and reports and discuss the incident, its impact on the community, and the student's behavior, perspectives, decision-making process, background, and future goals. The hearing officer is solely responsible for determining the student's level of responsibility and issuing appropriate sanctions. Appeals of community standards hearings must be submitted in writing to the Coordinator of Student Conduct as outlined in the corresponding sanction letter. Only one appeal is allowed, and the appeal must be filed within five days of receiving the hearing results.

d. Administrative Hearing: In particularly serious, pervasive, or time sensitive cases, the Dean of Student Affairs, Coordinator of Student Conduct, a Student Conduct Administrator, or a combination of the three will conduct an administrative hearing. The President of Saint Martin's University may also appoint an unbiased hearing agent at any time during the disciplinary process to perform the function of a disciplinary review or an appropriate appeal when he or she determines it is in the best interest of justice and efficiency. During an administrative hearing, the administrator or hearing officer(s) involved will hear all sides of the case; review the facts, reports, and witness statements; and determine sanctions in a closed-door session immediately following the hearing. Though not required, all respondents will have an opportunity to make an uninterrupted statement not exceeding 15 minutes to address their behavior, their motivations, the facts of the case, and/or their understanding of the policies related to the case.

Under most circumstances, administrative hearings will only involve the respondent and hearing officer(s) who will review and discuss available reports and statements. Witness or complainant participation in administrative hearings may be required by the Coordinator of Student Conduct or requested in writing no less than two business days in advance of the hearing. Complainants and witnesses will be invited to appear only at the discretion of the Coordinator of Student Conduct based upon the need to acquire additional information or clarify existing statements. All such parties must submit a written statement at least 48 hours in advance of a hearing and be willing to respond to appropriate questions presented by the hearing officer(s), respondent(s), or complainant(s), when applicable. Proceedings will not be delayed or rescheduled based upon the availability of a requested witness, and the University reserves the right to provide accommodations to or limit the participation of witnesses and/or complainants who express a reasonable fear for their safety or emotional wellbeing.

All complaints of sexual misconduct will be adjudicated through an administrative hearing with Student Conduct Administrators who have been specifically trained to

respond to such matters and are familiar with trauma-informed interviewing strategies. In all such cases, complainants will be afforded with the same rights and opportunities to participate as the respondent.

Appeals of administrative hearings must be submitted in writing to the next immediate administrative level as outlined in the corresponding sanction letter. Only one appeal is allowed, and the appeal must be filed within five days of receiving the hearing results.

e. Student Conduct Committee Hearing: As outlined above, the Coordinator of Student Conduct may refer any serious or pervasive allegation to the Student Conduct Committee for a hearing. The following steps outline the committee hearing procedure:

- i. Notice of Hearing: Not less than five days prior to a hearing, the Coordinator will send the respondent a “Notice of Hearing” by e-mail, letter, or both which indicates the charge or charges, details of any pre-hearing meeting requirements, maximum possible consequences, and the hearing’s time, date, and location. Once notice is received, individuals involved may not discuss the case with Student Conduct Committee members before or after the hearing. Any lobbying or pressure to influence the outcome of a hearing will be taken into account during the hearing and may result in disciplinary action.
- ii. Pre-hearing Meetings: Complainants or respondents may request a pre-hearing meeting with the Coordinator of Student Conduct to review reports, clarify charges, or discuss hearing procedures. Pre-hearing meetings may not be used to discuss whether a violation occurred or challenge the need for a hearing.
- iii. Hearing Composition: Student Conduct Committee hearings are held in private and only the Coordinator, complainant(s), respondent(s), advisor(s), and Committee members will be allowed to remain through the entirety of the proceedings. The presence of any other person, including witnesses, will be at the discretion of the Coordinator of Student Conduct. As outlined in Article IV, quorum must be met or waived to proceed with a hearing, and a chairperson will be selected from the faculty and staff members present. If a conflict of interest exists between a Committee member and the complainant, respondent, group, or event due to factors including, but not limited to, friendship, group membership, a mentoring relationship, employment, instruction, or involvement in the incident, the participants may communicate their concerns to the Coordinator of Student Conduct who will determine if the Committee member should be recused from the hearing before it begins. If a request for recusal is not made within 48 hours of a hearing, quorum requirements must be waived by the requesting party for it to be approved. If respondents, advisors, or witnesses fail to appear at the time specified for a hearing, the hearing may proceed without them, provided no prior arrangement for delay has been confirmed. A student’s absence at a scheduled hearing will not be considered as justification for a “relevant information” appeal.

iv. Hearing Procedures: All hearing participants are bound to a written statement of confidentiality and each hearing will be recorded by the Coordinator of Student Conduct for the official record. No other audio or video recording is allowed. The hearing will take place as a discussion, spoken in civil and respectful terms, and monitored and controlled by the chair. The Committee chairperson is responsible for the management of the hearing and will review the incident report(s), present the initial facts of the case, and when appropriate, present witnesses for both the respondent and the complainant. When permitted, questions of any person involved in the hearing may be directed to the chairperson who may stop, limit, table, rephrase, or clarify questions at any time. The chair may also disallow inappropriate or irrelevant questions. Witnesses will be dismissed after addressing the Committee, but may be recalled at the chair's discretion. When the witnesses are dismissed, both the respondent and the complainant will have an opportunity to make an uninterrupted closing statement not exceeding 15 minutes. Once everyone has had a reasonable opportunity to present their side of the incident, the chair will conclude the hearing and excuse the participants.

3. Student Rights for All Hearings

- a. Respondents are entitled to written notice of the charges and hearing details no less than three days prior to a hearing.
- b. Respondents have the right to know the identity of their accuser(s).
- c. Students have the right to reasonable review of the case file prior to a hearing.
- d. The respondent is entitled to notification of the outcome of the hearing and an explanation of the appeal procedure within seven business days.
- e. Both complainants and respondents may submit one appeal to a University administrator.
- f. Reasonable concerns for personal safety, well-being, and/or fears of confrontation or retaliation may be accommodated during a hearing by providing separate facilities, using a visual screen, and/or by permitting participation by telephone, video conferencing, written statement, or other means as deemed appropriate by the Coordinator of Student Conduct.

4. Additional Rights for Conduct Committee Hearings

- a. Respondents are entitled to written notice of the charges and hearing details no less than five days prior to a hearing unless the right to five days' notice is waived in writing.
- b. Respondents may be accompanied to the hearing by an advisor of the student's choosing who may assist, but not represent, the student. The advisor must be available for the hearing, as delays will not normally be allowed due to the scheduling of an advisor. The advisor may not address any other participant or actively contribute to the proceedings. If the advisor is an officer of the court, the University reserves the right to invite its own counsel to observe the proceedings.

c. Respondents may make an uninterrupted statement not exceeding 15 minutes, present information on their behalf, and request witnesses.

d. Respondents may suggest questions of the complainant and/or all persons who are called as witnesses to the Committee chair or hearing officer(s). Students may not cross-examine or question each other directly without the express permission of the chair or hearing officer(s).

5. Determination of Responsibility: In a closed session immediately following the hearing (if possible) the Student Conduct Administrator or Student Conduct Committee will consider and/or discuss the issues involved, review the statements and reports, and determine whether or not each student or student group has violated the Code of Conduct. The determination will be made by a majority vote on the basis of a whether it was more likely than not that a violation occurred (the “preponderance of evidence” standard). If a violation occurred, the hearing officer or Committee will decide who was responsible for it and what sanctions are appropriate to the violation(s) and most beneficial to the student and the community. When sanctions are imposed, attention will be paid to the previous disciplinary record of the accused.

6. Sanctions: The following list of sanctions does not imply degree, severity, or appropriateness of any sanction to any specific violation. Nothing in this section precludes assigning multiple sanctions or imposing any other sanction that may be in the best interest of the student or community. The sanctions that may be assigned include, but are not limited to:

a. Warning: The student or group is given verbal or written warning that his/her/their acts violate specified University regulations or policies and are advised that further violations may result in the imposition of more severe sanctions.

b. Loss of Privileges: The student, group, club, or organization is denied specific privileges normally associated with student status. Such privileges include, but are not limited to, permission to host guests on campus, participation in University activities, University employment, access to University-owned residence halls, and use of University funds, facilities, or services.

c. Community Service: The student group, club, or organization is required to perform a designated number of hours of labor in the service of the University or local community.

d. Restitution: The student or group is required to replace, restore, or pay for damaged, stolen, or misappropriated property.

e. Parental Notification: In cases involving the inappropriate use or possession of alcohol or illicit drugs, the University may notify the parent(s) or legal guardian(s) of students under the age of 21 by phone, mail, or any other means as permitted by the 1998 revision of the Family Educational Rights and Privacy Act. Parental notification is typically reserved for drug-related offenses and serious or repeated violations of the University’s alcohol policy; however, the University reserves the right to advise guardians of any drug and/or alcohol use that requires medical attention or presents a foreseeable risk of harm to oneself or others.

- f. Fines: The student group, club, or organization is required to pay previously established and published fines. The fine may be charged to the student's account or the student may be required to pay in person in the Office of Housing and Residence Life.
- g. Discretionary Sanctions: A hearing body may impose creative or educational sanctions that are appropriate to the violation and designed to be informative rather than punitive. Examples of discretionary sanctions include, but are not limited to, research and reflection papers, program or class attendance, passive programming, staff and faculty interviews, and required readings.
- h. Substance Abuse or Mental Health Assessment: The student may be required to complete a substance abuse or mental health assessment through a qualified agency at his/her own expense. The student is responsible for providing documentation of completion and must submit any recommendations from the provider to the Coordinator of Student Conduct. Adherence to these recommendations may be mandated by the Coordinator of Student Conduct, and failure to comply with this requirement may result in further judicial action.
- i. Conduct Hold: A student's account may be put on hold at the discretion of the Coordinator of Student Conduct should that student fail to comply with sanctions imposed by any hearing body. A conduct hold may preclude a student from accessing his/her student records, registering for classes, acquiring transcripts, or gaining readmission to the University. Students may appeal in writing to the Coordinator of Student Conduct or Dean of Student Affairs for the conduct hold to be temporarily or permanently lifted, and the request must include convincing justification for why the student remains out of compliance.
- j. Persona-Non-Grata: Persona-Non-Grata means a person is not welcome. When issued, the individual is prohibited from visiting or entering any University building or area for which the student has been declared persona-non-grata. This sanction will be imposed for a specified period of time. Violations of a Persona-Non-Grata order can, in some cases, result in an arrest for criminal trespass.
- k. Disciplinary Probation: The student, group, club, or organization is placed on probation with or without loss of designated privileges. Specific activities may be required or additional sanctions completed prior to removal from probation. Probation is imposed for a specified period of time during which a student, group, club, or organization may be restricted from activities or programs.
- l. Negative Notation on Transcript: An entry of the fact of a disciplinary sanction is made on the student's permanent record, either permanently or for a specified period of time.
- i. If temporary, the notation will be removed after the expiration of the time period upon written request of the student. This sanction will normally be used only in cases of academic dishonesty or when a student has been suspended or expelled.

m. Suspension: When a suspension is issued, the student is excluded from the University for a specified period of time, during which he or she may not enjoy academic privileges, participate in any University-recognized function, or be allowed to reside in any residence hall. If this is a group sanction, the group is not allowed to function as a recognized club or organization for a specified period of time.

n. Expulsion: When an expulsion is issued, the student is permanently excluded from the University and may not enjoy academic privileges, participate in any University-recognized function, or be allowed to reside in any University residence hall.

o. Degree Revocation: The University retains the right to revoke a degree if a former student is found guilty of academic dishonesty in courses taken leading to the degree or in any way altering without authorization, or causing the un-authorization, or causing the unauthorized altering, of his or her academic record.

p. Deferred Sanction: The execution of any sanction authorized under this code may be deferred. When deferring a sanction, the length of the deferment period will be specified. Subsequent violations of the Code of Conduct may terminate the deferment and result in the automatic imposition of the original sanction. In the absence of such a violation, the original sanction shall be deemed complete at the end of the deferment period.

7. Interim Emergency Suspension: In certain circumstances, the Dean of Student Affairs or a designee may impose a University or residence hall interim emergency suspension prior to a conduct hearing. Interim emergency suspension may be imposed to ensure the safety and well-being of the University community and the student him/herself under the following conditions:

a. Health and Safety Emergencies: When evidence is received from a physician, psychiatrist, or qualified counselor indicating a student has a serious medical or mental health condition posing an imminent risk of substantial harm to members of the University community or the educational process of the institution, the Dean of Student Affairs will review the evidence and may suspend the student immediately, pending a hearing. The student may be required to submit to psychological or physical assessment and to authorize release of results of the assessment to the Dean of Student Affairs or other appropriate University officials to be reenrolled at the University.

b. Threatening or Disruptive Behavior: The Dean of Student Affairs or designee can invoke an interim emergency suspension when it is deemed necessary for the protection of the University community. If a student poses an ongoing threat of disruption of or interference with the normal operations of the University, an interim suspension may be imposed. In such instances, the student normally will be entitled to a hearing within ten business days of the suspension. Only when it is neither possible to schedule necessary witnesses nor obtain information significant to the case will the hearing be held more than ten business days after the emergency suspension. Hearings can be held over the telephone or by other means at the discretion of the Dean of Student Affairs or designee.

c. The procedures for invoking interim emergency suspension will be applied in a non-discriminatory manner. Determinations regarding a need for emergency suspension must be based on observations of a student's conduct, actions, and statements, and not merely on knowledge or belief that a student is an individual with a disability. Where reasonably possible the Dean of Student Affairs or designee will provide the student with an opportunity to present information about his or her circumstances and actions prior to implementing the suspension.

8. Appeals Process: Students may appeal decisions reached at hearings, but only one appeal is permitted. Decisions reached in community standards hearings may be appealed to the Coordinator of Student Conduct, and all other cases may be appealed to the Dean of Student Affairs. The following rules govern appeals:

a. A conduct decision may be appealed by the respondent, the complainant, or the University.

b. The appeal must be submitted in writing within five days of receiving the hearing results.

c. In cases alleging sexual misconduct, both the complainant and respondent have the right to appeal the result of the disciplinary proceedings and the other party will be notified of the appeal. Both the complainant and respondent will simultaneously receive the results of any appeal arising from an allegation of dating violence, domestic violence, sexual assault, or stalking in writing within ten days of the appellate body's receipt of the appeal, including any change to the initial findings.

d. The appeal must include specific justification. The only justifications for appeal of a hearing are:

i. Failure on the part of the hearing officer or body to consider relevant information;

ii. Significant procedural error on the part of the Coordinator of Student Conduct, hearing officer, or chair of the Student Conduct Committee;

iii. The severity of the sanctions imposed is disproportionate to the violation for which a student was found responsible.

e. The appeal must be decided on the record, with no new evidence considered. It is the responsibility of the Dean of Student Affairs to obtain a complete and accurate record from the Coordinator of Student Conduct.

f. The Dean of Student Affairs or Coordinator of Student Conduct may, but is not required to, suspend all sanctions until the appeal's consideration is complete.

g. If new information is discovered that is significant enough to alter the original decision, the person hearing the appeal may return the case to the Coordinator of Student Conduct and/or the Student Conduct Committee for a supplemental hearing on the new evidence.

h. The appeals board may overturn the original decision, return the case to the Coordinator and/or Committee to re-open the hearing, or amend the original sanctions imposed.

9. Record Keeping and Confidentiality: Student conduct files, including incident reports, witness statements, hearing notices, outcome letters, and sanction information, will be retained by the Coordinator of Student Conduct for seven years unless a student is suspended or expelled, in which case the files will be kept indefinitely. Student conduct files and findings are considered part of the student's education record, and as such, may be made available for review by the student upon written request, but no physical documents will be released to any student, parent, guardian, or any other party. Likewise, student conduct records may not be disclosed to outside agencies or institutions without the student's written consent, unless permitted by FERPA, the Student Right-to-Know and Campus Security Act, or the Clery Act.

In cases involving sexual assault, sexual harassment, dating and/or domestic violence, and/or stalking, complainants will be informed of all hearing outcomes, sanctions, and appeals associated with the student conduct process, and have the right to appeal such decisions consistent with the provisions of the Code of Conduct.

APPENDIX 7

Legal and Health Risks of Substance Abuse

Summary of Applicable Laws

The following are penalties provided for possession, use or distribution of illicit drugs prohibited by federal law. Strict penalties are provided for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of possible federal penalties for first and second convictions.

Denial of Federal Benefits (21 USC §862 and 20 USC 1091 (r) (1))

A state or federal drug conviction while enrolled and receiving Title IV aid may result in the loss of federal benefits, including school loans, grants, contracts and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction, and up to 10 years for a second conviction. Drug traffickers become permanently ineligible for federal benefits upon a third conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for a second or subsequent conviction.

Forfeiture of Personal Property and Real Estate (21 USC §853)

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars and other personal belongings. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 USC §841)

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The list above is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are often twice as severe. If death or serious bodily injury results from the use of a controlled substance that has been illegally distributed, the person convicted on federal charges of distributing the substance can face a prison term up to life imprisonment, and fines ranging up to \$20 million. Persons convicted on federal charges of drug trafficking within 1,000 feet of a university (21 USC §860) face penalties of prison terms and fines which are twice as high as the regular penalties for the first offense, with a mandatory prison sentence of at least 1 year. Mandatory minimum sentencing does not apply to offenses involving five grams or less of marijuana.

Federal Drug Penalties for Simple Possession (21 USC §844)

Persons convicted on federal charges of unlawfully possessing any controlled substances face penalties of up to 1 year in prison and a minimum fine of \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000. Special sentencing provisions for possession of a mixture or substance which contains cocaine base impose a mandatory prison term of not less than 5 years but not more than 20 years and a minimum fine of \$1,000, or both, if:

1. it is a first conviction and the amount of cocaine base substance possessed exceeds 5 grams;
2. it is a second conviction and the amount of cocaine base substance possessed exceeds 3 grams;
3. it is a third or subsequent cocaine base substance conviction and the amount exceeds 1 gram.

Special sentencing provisions for simple possession of Flunitrazepam (Rohypnol, “roofies” or “roaches”) impose a prison term of not more than 3 years, a fine as outlined above, or both.

Washington State Drug and Alcohol Laws (Chapter 69.50 Revised Code of Washington)

Following is a summary of certain Washington State laws relating to the unlawful use of alcohol and drugs [RCW 66.44 & 69.50]. This summary is intended to apprise students, faculty, and staff of the conduct generally prohibited by state law. The unlawful possession, use, or distribution of alcohol and/or illicit drugs may subject the offender to federal as well as state penalties, and include imprisonment, fines, or both. Members of the campus community are expected to observe all applicable federal and state laws while on University premises or in connection with any University activity.

1. Persons under age 21 may not acquire, possess, or consume alcohol. No person may furnish alcohol to anyone under 21 or permit underage consumption on premises within their control. [\[RCW 66.44.270\(2\)\(a\)\]](#)
Penalty: Gross Misdemeanor - Maximum \$5000 fine, up to 364 days imprisonment, or both. [\[RCW 9A.20.021\(2\)\]](#)
2. Persons under 21 may not be in a public place or in a vehicle in public while exhibiting the effects of having consumed alcohol. A public place includes city streets and any buildings and grounds used for University purposes. [\[RCW 66.44.270\(2\)\(b\)\]](#)
Penalty: Gross Misdemeanor - Maximum \$5000 fine, up to 364 days imprisonment, or both. [\[RCW 9A.20.021\(2\)\]](#)
3. Persons under 21 may not purchase or attempt to purchase alcohol. [\[RCW 66.44.290\]](#)
Penalty: maximum \$1,000 fine, 90 days imprisonment or both; except a minimum fine of two hundred fifty dollars shall be imposed and any sentence requiring community restitution shall require not fewer than twenty-five hours of community restitution. [\[RCW 66.44.290\(4\)\]](#)
4. Alcohol may not be opened or consumed in a public place. [\[RCW 66.44.100\]](#)
Penalty: Class 3 civil infraction; the maximum penalty and the default amount shall be fifty dollars, not including statutory assessments. [\[RCW 7.80.120\(c\) & 9A.20.021\(3\)\]](#)
5. It is unlawful to manufacture, deliver, or possess an illicit drug. [\[RCW 69.50.401\]](#)
Penalty:

1. Schedule I and II narcotic drugs or [flunitrazepam](#), including its salts, isomers, and salts of isomers, classified in Schedule IV and amphetamine, including its salts, isomers, and salts of isomers, or methamphetamine, including its salts, isomers, and salts of isomers - [Class B felony](#) – imprisonment for ten years, or (i) fined up to twenty-five thousand dollars if less than two kilograms of the drug, or both such imprisonment and fine; or (ii) if two or more kilograms of the drug, fined up to one hundred thousand dollars for the first two kilograms and up to fifty dollars for each gram in excess of two kilograms, or both such imprisonment.
 2. Any other controlled substance classified in Schedule I, II, III, IV & V - Class C felony – imprisonment for five years, or a fine in an amount fixed by the court of ten thousand dollars, or by both such confinement and fine.
 3. The production, manufacture, processing, packaging, delivery, distribution, sale, or possession of marijuana in compliance with the terms of [RCW 69.50.360](#), [69.50.363](#), or [69.50.366](#) shall not constitute a violation of Chapter [69.50 RCW](#) or any other provision of Washington state law. **See Special Note Regarding Marijuana below.**
6. It is unlawful to use, possess, possess with the intent to deliver, or manufacture with the intent to deliver drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance other than marijuana. It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance other than marijuana. [[RCW 69.50.412](#)]
- Penalty: [Misdemeanor](#) –
- a. First conviction - imprisonment for not less than twenty-four consecutive hours and up to 90-days, and a fine of not less than two hundred fifty dollars;
 - b. Second or subsequent conviction, the fine shall not be less than five hundred dollars and not less than twenty-four consecutive hours and up to 90-days imprisonment.

Special Note Regarding Marijuana: Marijuana remains illegal for minors (persons under 21 years of age) to possess, sell or use. No person under 21 years of age may possess, manufacture, sell, or distribute marijuana, marijuana-infused products, or marijuana concentrates, regardless of THC concentration.

It is illegal to possess marijuana by a person of any age in amounts over 28.3 grams. **Marijuana remains illegal under federal law and policies concerning marijuana at the university remain**

unchanged. It is illegal to produce, distribute or use marijuana on university property or during university-sponsored activities.

Substance Abuse Health Risks

Copied with permission from the Health Center, [Pacific Lutheran University](http://www.pacificlutheran.edu), Tacoma WA 98447

Substance	Cardiac	Nervous	Digestive	Reproductive	Dependency	Other
Alcohol	High blood pressure.	Brain damage, poor judgment and coordination. Depression and mood swings.	Liver damage.	Increased miscarriages, low birth weight with small amounts. Fetal Alcohol Syndrome. Sexual dysfunction.	Drinking large amounts of over a period of time can produce physical and psychological dependency.	Increased accidents with injuries and death. Rapid intake can lead to alcohol poisoning and death.
Barbiturate (Quaaludes, Nembutal, Seconal)	Decreased blood pressure; weak and rapid pulse.	Slurred speech, disorientation, decreased respirations and coma.	Increased appetite.	Babies may be born physically dependent. Birth defects can occur	High potential of physical and psychological dependence.	Abrupt withdrawal can be life threatening.
Cannabis (Marijuana, Hashish)	Chest pain due to increased heart rate.	Reduced short term memory, impaired coordination, and decreased vision. Decreased motivation, concentration and attention.	Increased appetite.	Decreased sperm count with possible infertility Increased miscarriages, low birth weight	Psychological dependence may occur; physical dependence may develop with daily use.	Increased accidents with injuries and death. Lung damage.
Central Nervous Stimulants (Amphetamines, Ecstasy, Cocaine)	Increased heart rate and blood pressure. Increased heart attack rate, arrhythmias, and death.	Headache, convulsions, hallucinations, insomnia, and short attention span. Increased alertness. Euphoria.	Loss of appetite. Severe weight loss. Liver damage.	Increased miscarriages and premature births. Babies may be born physically dependent Repeated use can cause impotence	Physical dependence may occur among chronic users Psychological dependence can occur very rapidly.	Damage to nasal tissue if snorted. HIV/AIDS and hepatitis if injected with contaminated needles.
Hallucinogens (LSD, PCP, Ecstasy, Mescaline)	Increased heart rate and blood pressure.	Impairment of coordination. "Flashbacks", convulsions and coma.	Nausea, vomiting, and abdominal pain.	Increased miscarriages and birth defects.		Respiratory depression. Dilated pupils.
Narcotics (Heroin, opium, Morphine, Oxycontin)	Decreased blood pressure and shock.	Stupor and coma. Decreased respirations resulting in death.	Constipation	Increased risk of anemia, heart disease, diabetes, pneumonia, and hepatitis if used during pregnancy. Increased miscarriages, premature and still births.	Physical and psychological dependence.	HIV/AIDS and hepatitis if injected with contaminated needles.

Medical research has demonstrated the following health risks associated with the abuse of alcohol or drugs:

1. Liver disease, including hepatitis and cirrhosis of the liver;
2. Digestion and nutrition problems, including pancreatitis, peptic ulcer, and vitamin deficiencies;
3. Memory lapses, blackouts, loss of problem-solving abilities, and other serious neurological disorders;
4. Congestive heart failure, hypertension, and stroke;
5. Numerous forms of cancer; and
6. Birth defects.

Additional information about the health risks of alcohol and drug abuse may be obtained from Counseling and Wellness Services.

Appendix 8 – Drug Free Schools & Communities Act and Drug Free Work Place Act

Drug-Free Schools and Communities Act Requirements

In compliance with Section 22 of the Drug-Free Schools and Communities Act Amendments of 1989, all students and employees of Saint Martin’s University are expected to observe the following minimum standards of conduct relating to the use of alcohol and illicit drugs. Additionally, these regulations apply to any visitor or guest on University premises.

a. Alcohol

1. Possession, consumption, possession by means of consumption (if under the age of 21), and the manufacture, sale or distribution of alcoholic beverages, EXCEPT AS EXPRESSLY ALLOWED by this policy, is prohibited in or around University premises or in connection with any University activity. Exceptions may be made if the following conditions are met for a specific event:
 - a. Approval for the event is obtained in writing from the Director of Campus Life and the Dean of Student Affairs.
 - b. The event is not held in or near the residence halls.
 - c. Those consuming alcohol are 21 years of age or older. Community members participating in SMU-sponsored study abroad programs are expected to respect the drinking laws of their host country while upholding the university policy.
 - d. An appropriate liquor license obtained from the Washington State Liquor Control Board and publically displayed at the event.
 - e. A bartender licensed by the State of Washington serves the alcohol.
2. Possession of open or empty alcohol containers, remaining in a location where alcohol is present, assisting someone else in concealing the product or the products effect on an individual, or any other violation of University policy due to alcohol consumption, also constitutes a violation of this policy.
3. The use of alcohol on University premises or as part of its activities must otherwise conform to all applicable state laws and to University requirements and procedures.

b. Drugs

1. Possession, use, manufacture, sale, or distribution of marijuana (including medicinal marijuana), illicit narcotics, or other controlled substances and the improper possession, use, manufacture, sale, or distribution of prescription pharmaceuticals is prohibited in or around University premises or in connection with any University activity.
2. Remaining in a location where illicit drugs are present or being used, assisting someone else in concealing the product or its effect on an individual, or any other violation of University policy due to drug use also constitutes a violation of this policy

3. Possession, manufacture, use, distribution or sale of drug paraphernalia is prohibited in or around University premises or in connection with any University activity.

Summary

- This policy strictly forbids the unlawful manufacture, possession, distribution, or use of drugs, including “medical marijuana,” or “recreational use marijuana” on University premises or in connection with a University activity.
- Alcohol and/or marijuana may not be possessed by anyone on campus, except as provided by the “Campus Alcohol Use Procedure.”
- Alcohol and/or marijuana may not be furnished to anyone under age 21, and under aged persons may not possess or consume alcohol on University premises or in connection with any University activity.
- Opened containers of alcohol may not be possessed, and alcohol may not be consumed in any place on University premises or in connection with a University activity except as expressly permitted by the policy. The use of alcohol on University premises or as part of its activities must otherwise conform to all applicable state laws and to University requirements and procedures.

Persons choosing to drink alcoholic beverages are expected to do so responsibly. Behavior evidencing irresponsible consumption of alcohol, including but not limited to obvious intoxication (e.g., staggering, passing out, being unable to care for oneself), excessive noise, vandalism, excessive messes (e.g., litter, spills on carpets or furniture, throwing garbage or liquids), sickness, verbal, written, or physical harassment, will be addressed through the procedures outlined in Section E. In addition to the sanctions outlined in Section E, nothing in this policy prevents any person from being subject to arrest for violation of state or local law.

Drug-Free Workplace Act Requirements

Saint Martin’s University is committed to providing a drug-free working environment in accordance with the Federal Drug Free Workplace Act of 1988.

Purpose and Goal

Saint Martin’s University is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. We recognize alcohol abuse and drug use pose a significant threat to our goals. We have established a drug-free workplace program balancing our respect for individuals with the need to maintain an alcohol and drug-free environment.

- Saint Martin’s University encourages employees to voluntarily seek help with drug and alcohol problems.

Covered Workers

Any individual who conducts business for Saint Martin's University, is applying for a position or is conducting business on the University's property is covered by our drug-free workplace policy. Our policy includes, but is not limited to full-time employees, part-time employees, off-site employees, contractors, volunteers, **interns**, applicants, **and student employees**.

Applicability

Our drug-free workplace policy is intended to apply whenever anyone is representing or conducting business for Saint Martin's University. Therefore, this policy applies during all working hours and while on call or on standby.

Prohibited Behavior

It is a violation of our drug-free workplace policy to use, possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants; this includes the possession and use of "medical marijuana" or recreational use marijuana." Medical marijuana and recreational use marijuana are not recognized as being legal under federal law. Nothing in Washington State law requires an accommodation for the medical use of cannabis if an employer has a drug-free work place.

Prescription drugs (Schedule II through V Controlled Substances), excluding prescribed medical marijuana, and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's written prescription. Any employee taking prescribed or over-the-counter medications, excluding prescribed marijuana, will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor, notify company doctor) to avoid unsafe workplace practices.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of our drug-free workplace policy to intentionally misuse and/or abuse prescription medications. Appropriate disciplinary action will be taken if job performance deterioration and/or other accidents occur.

Notification of Convictions

Any employee who is convicted of a criminal drug violation in the workplace must notify the Saint Martin's University Office of Human Resources in writing within five calendar days of the conviction. The Office of Human Resources will take appropriate action within 30 days of notification. Federal contracting agencies (those providing federal funding) will be notified when appropriate.

Searches

Entering property owned by Saint Martin's University constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he or she may be asked to submit to a search or inspection at any time. Searches can be conducted of lockers, desks and work stations, and University owned property.

Drug Testing

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

All drug-testing information will be maintained in separate confidential records.

Each employee, as a condition of employment, will be required to participate in reasonable suspicion testing upon selection or request of management.

The substances to be tested for are: Amphetamines, Cannabinoids (THC), Cocaine, Opiates and Phencyclidine (PCP).

Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine.

Any employee who tests positive may be: 1) referred to a substance abuse professional for assessment and recommendations; 2) required to successfully complete recommended rehabilitation including continuing care; 3) required to pass a Return-to-Duty test and sign a Return-to-Work Agreement; and 4) terminated immediately if he/she tests positive a second time or violates the Return-to-Work Agreement. An employee who tests positive may be immediately terminated, depending on the specific work situation.

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter or refuses to cooperate in the testing process in such a way that prevents completion of the test.

Consequences

One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious and can result in corrective action, up to and including termination of employment.

In the case of job applicants (full-time, part-time or student employment), if he or she violates the drug-free workplace policy, the offer of employment can be withdrawn. The applicant may not reapply.

If an employee violates the policy, he or she will be subject to progressive disciplinary action and may be required to enter rehabilitation. An employee required to enter rehabilitation and fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

Return-to-Work Agreements

Following a violation of the drug-free workplace policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued employment.

Assistance

Saint Martin's University recognizes alcohol and drug abuse and addiction are treatable illnesses. We also realize early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- Encourages employees to seek help if they are concerned they or their family members may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Offers all employees assistance with alcohol and drug problems through the Employee Assistance Program (EAP).
- Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

Confidentiality

All information received by Saint Martin's University through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

Shared Responsibility

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Use the Employee Assistance Program.
- Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

- Inform employees of the drug-free workplace policy.
- Observe employee performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Refer employees to the Employee Assistance Program.
- Clearly state consequences of policy violations.

Communication

Communicating our drug-free workplace policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free workplace program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees.

Information, Education, and Counseling

This Alcohol and Drug Policy emphasizes the importance of information and education in helping to prevent alcohol and drug abuse. In furtherance of this purpose, a copy of this policy will be distributed annually to students, faculty, and staff, together with the appended summaries of the legal and health risks associated with the abuse of alcohol and drugs (**See Substance Abuse Health Risks**).

Saint Martin's University is committed to helping students and employees to resolve alcohol and drug abuse problems. Confidential counseling and referral services are available to students through the

Counseling and Wellness Services Center. Also available to students are chemical dependency education programs, chemical dependency assessments, and a sobriety support group.

For faculty and staff, the University provides education and assessment through the University's employee assistance program. In addition, the University's health insurance plans provide coverage for the medical treatment of chemical dependencies.

For additional information about counseling, assessment and referral services contact the Counseling and Wellness Center (360-438-4371 or 360-438-4513) or the Office of Human Resources (360-486-8131).

Sanctions

The University will impose corrective action on students, faculty, and staff for violations of this Alcohol and Drug Policy. Sanctions will be imposed in accordance with the procedures of the Student Handbook, Code of Conduct, or Faculty/Staff Handbook as appropriate.

The following list of student sanctions does not imply degree, severity, or appropriateness of any sanction to any specific violation. Nothing in this section precludes assigning multiple sanctions or imposing any other sanction that may be in the best interest of the student or community. In cases involving drugs and/or alcohol, the sanctions that may be assigned include, but are not limited to:

- i. **Electronic Check-Up (formerly E-Chug):** The minimum sanction for alcohol related offenses, E-Check-Up is an online self-assessment tool designed to provide information related to student risk patterns, tolerance levels, family risk factors, harm reduction strategies, and resources at Saint Martin's University and in the outside community.
- ii. **Alcohol Education Program:** The next-level sanction for alcohol offenses is the alcohol education program offered through the Counseling and Wellness Center in coordination with the Office of Housing and Residence Life. The three-hour class is developed and taught by the University's Substance Abuse Prevention Coordinator. Students referred to this program are required to complete it at their own expense (\$25), and those who fail to do so may be assessed a \$75 disciplinary fine, will be required to attend a rescheduled class, and may face further judicial action. The alcohol education program is typically required for modest first time alcohol offenses, but the University reserves the discretion to impose alternate or additional sanctions for first time offenses if circumstances warrant such sanctions.
- iii. **Parental Notification:** Violations of the University drug policy or alcohol policy may also result in the University notifying the parent(s) or legal guardian(s) of students under the age of 21 by phone, mail, or any other means as permitted by the 1998 revision of the Family Educational Rights and Privacy Act. Parental notification is typically reserved for drug-related offenses and serious or repeated violations of the University's alcohol policy; however, the University reserves the right to advise guardians of any drug and/or alcohol use that requires medical attention or presents a foreseeable risk of harm to oneself or others.
- iv. **Discretionary Sanctions:** A hearing body may impose creative or educational sanctions appropriate to the violation and designed to be informative rather than punitive. Examples of

- discretionary sanctions include, but are not limited to, research and reflection papers, program or class attendance, passive programming, staff and faculty interviews, and required reading.
- v. **Substance Abuse or Mental Health Assessment:** The student may be required to complete a substance abuse or mental health assessment through a qualified agency at his/her own expense. The student is responsible for providing documentation of completion and must submit any recommendations from the provider to the Coordinator of Student Conduct. Adherence to these recommendations may be mandated by the Coordinator of Student Conduct, and failure to comply with this requirement may result in further judicial action.
 - vi. **Conduct Hold:** A student's account may be put on hold at the discretion of the Coordinator of Student Conduct should that student fail to comply with sanctions imposed by any hearing body. A conduct hold may preclude a student from accessing his/her student records, registering for classes, acquiring transcripts, or gaining readmission to the University. Students may appeal in writing to the Coordinator of Student Conduct or Dean of Student Affairs for the hold to be temporarily or permanently lifted, and the request must include convincing justification for why the student remains out of compliance.
 - vii. **Disciplinary Probation:** In most substance abuse cases, the student is placed on probation with or without loss designated privileges for a minimum of one semester. Specific activities may be required or additional sanctions completed prior to removal from probation. Probation is imposed for a specific period of time during which a student may be restricted from some activities or programs.
 - viii. **Persona Non Grata, Suspension, and Expulsion:** When other sanctions are deemed insufficient or ineffective, a student may be made persona non grata from University facilities and/or activities or face separation from the institution through suspension or expulsion. In such cases, students may be required to complete additional sanctions and/or demonstrate significant behavioral and/or attitudinal changes before being considered for readmission to the University.

As required by federal law, the University will also cooperate with law enforcement authorities in referring for prosecution the unlawful possession, use, or distribution of alcohol and illicit drugs by students, employees, visitors or guests on University premises or as part of any of its activities.