



## Bellevue College Annual Security and Fire Safety Report

The Bellevue College (BC) Public Safety Department maintains statistical crime data for Main Campus and North Campus for the most recent three-year period, including incidents reported to local law enforcement. These statistics also reflect incidents reported to the BC Public Safety Department from off-campus affiliated locations.

The BC crime statistics for the most recent three-year period, 2022, 2023, and 2024, are listed below. Definitions of each category follow the statistics. The statistics listed below reflect incidents reported to the BC Public Safety Department. Crime statistics for adjacent public property can also be found at the Bellevue Police Department site at: <http://www.crimemapping.com/map/wa/bellevue>

### Your Right to Know

This document is provided in compliance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (formerly the Crime Awareness and Campus Security Act of 1990). All policy statements contained here within apply to both the Main Campus and North Campus.

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## Bellevue College Main Campus Crime Statistics

Campus Crime Statistics	GEOGRAPHIC LOCATION					
	Year	On-Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property	Unfounded
Murder/ Non-Negligent Manslaughter	2024	0	0	0	0	0
	2023	0	0	0	0	0
	2022	0	0	0	0	0
Negligent Manslaughter	2024	0	0	0	0	0
	2023	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2024	1	0	0	0	0
	2023	0	0	0	0	0
	2022	0	0	0	0	0
Forcible Fondling	2024	1	0	0	0	0
	2023	0	0	0	0	0
	2022	2	0	0	0	0
Incest	2024	0	0	0	0	0
	2023	0	0	0	0	0
	2022	0	0	0	0	0
Statutory Rape	2024	0	0	0	0	0
	2023	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2024	0	0	0	1	0
	2023	1	0	0	2	0
	2022	0	0	0	0	0
Aggravated Assault	2024	2	0	0	0	0
	2023	0	0	0	0	0
	2022	0	0	0	0	0
Burglary	2024	0	0	0	0	0
	2023	3	0	0	0	0
	2022	6	5	0	0	0
Motor Vehicle Theft	2024	4	0	0	3	0
	2023	3	0	0	6	0
	2022	3	0	0	2	1
Arson	2024	0	0	0	0	0
	2023	2	0	0	0	0
	2022	0	0	0	0	0

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VAWA Offenses	GEOGRAPHIC LOCATION					
Offense	Year	On-Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property	Unfounded
Domestic Violence	2024	1	1	0	0	0
	2023	0	0	0	0	0
	2022	1	0	0	0	0
Dating Violence	2024	0	0	0	0	0
	2023	2	2	0	0	0
	2022	1	1	0	0	0
Stalking	2024	7	0	0	0	0
	2023	11	2	0	0	0
	2022	15	9	0	0	0

### Unfounded Crimes

2024: Zero unfounded crimes.

2023: Zero unfounded crimes.

2022: One unfounded crime.

### Hate Crimes

2024: One hate crime: Intimidation- Sexual Orientation Bias- On-Campus Housing

2023: Zero hate crimes.

2022: Zero hate crimes.

Arrests and Disciplinary Referrals	GEOGRAPHIC LOCATION					
Offense Reported by Hierarchy	Year	On-Campus Property	On-Campus Student Housing	Non-Campus Property	Public Property	Unfounded
Arrests: Weapons	2024	1	1	0	0	0
	2023	0	0	0	0	0
	2022	0	0	0	0	0
Disciplinary Referrals: Weapons	2024	0	0	0	0	0
	2023	0	0	0	0	0
	2022	0	0	0	0	0
Arrests: Drug Abuse Violations	2024	0	0	0	2	0
	2023	0	0	0	0	0
	2022	0	0	0	1	0
Disciplinary Referrals: Drug Abuse Violations	2024	0	0	0	0	0
	2023	4	4	0	0	0
	2022	15	15	0	0	0
Arrests: Liquor Law Violations	2024	1	0	0	0	0
	2023	0	0	0	0	0
	2022	0	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2024	0	0	0	0	0
	2023	10	9	0	0	0
	2022	13	13	0	0	0

## Bellevue College North Campus Crime Statistics

North Campus Crime Statistics	GEOGRAPHIC LOCATION				
Offense Reported by Hierarchy	Year	On-Campus Property	Non-Campus Property	Public Property	Unfounded
Murder/ Non-Negligent Manslaughter	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Negligent Manslaughter	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Rape	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Forcible Fondling	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Incest	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Statutory Rape	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Robbery	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Aggravated Assault	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Burglary	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Motor Vehicle Theft	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Arson	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0

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North Campus VAWA Offenses	GEOGRAPHIC LOCATION				
	Offense	Year	On-Campus Property	Non-Campus Property	Public Property
Domestic Violence	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Dating Violence	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Stalking	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0

**Unfounded Crimes**

2024: N/A

2023: N/A

2022: Zero unfounded crimes.

**Hate Crimes**

2024: N/A

2023: N/A

2022: Zero hate crimes.

North Campus Arrests and Disciplinary Referrals	GEOGRAPHIC LOCATION				
	Year	On-Campus Property	Non-Campus Property	Public Property	Unfounded
Arrests: Weapons	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Disciplinary Referrals: Weapons	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Arrests: Drug Abuse Violations	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Arrests: Liquor Law Violations	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2024	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A
	2022	0	0	0	0

## Clery Act Definitions

### Geography

**Main Campus** is defined as the buildings and property owned by Bellevue College, used by BC employees and/or students, including buildings and property commonly referred to as Bellevue College: Main Campus is located at 3000 Landerholm Circle SE, Bellevue, WA 98007.

**North Campus** is defined as all buildings and property owned by Bellevue College, used by BC employees and/or students, including buildings and property commonly referred to as Bellevue College: North Campus is located at 14673 NE 29th Place, Bellevue, WA 98007.

**On-Campus** any buildings or properties that are owned or controlled by Bellevue College, reasonably contiguous to one another AND directly support or relate to the college's educational purpose.

**Non-Campus** is defined as all buildings and property owned by Bellevue College, used by BC employees and/or students, not inclusive of Main Campus or North Campus. Currently, Bellevue College does not have any officially recognized student organizations with non-campus locations.

**Public Property** is defined as the public property inside and directly adjacent to and accessible from college property (examples include pathways, streets and sidewalks).

**On-Campus Student Housing** is defined as any student housing facility that is owned or controlled by Bellevue College, or is located on property that is owned or controlled by Bellevue College, and is within the reasonably contiguous geographic area that makes up campus:

On-Campus Student Housing is located at:

2488 Kelsey Creek Road SE  
Bellevue, WA 98007

2508 Kelsey Creek Road SE  
Bellevue, WA 98007

### Clery Crimes

**Murder/Non-Negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another (excludes deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides).

**Negligent Manslaughter** is defined as the killing of another person through gross negligence.

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

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

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

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**Robbery** is 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.

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

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

**Motor Vehicle Theft** is the theft or attempted theft of a motor vehicle.

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

### Hate Crimes

A hate crime is an actual criminal offence motivated in whole or in part by the offender's bias towards the victim's status based on race, color, religion, ethnic/national origin, gender expression, sex, age, disability or sexual orientation identities. To be classified as a hate crime it must meet two criteria: (1) a crime must occur, such as physical assault, intimidation, or arson, and (2) the crime must be motivated by bias or prejudice. Incidents of this nature are criminal; along with violating college policies, they are illegal and punishable through customary law enforcement channels.

**Larceny** is defined as the unlawful taking, carrying, leading, or riding away of property from the possession of constructive possession of another.

**Vandalism** is willfully or maliciously destroying, injuring, disfiguring, or defacing any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

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

**Simple Assault** is 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.

### Violence Against Women Act

**Domestic violence** includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

**Dating violence** means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

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**Stalking** means intentional and repeated harassment or following of another person, which places that person in reasonable fear that the perpetrator intends to injure, intimidate, or harass that person. Stalking also includes instances where the perpetrator knows or reasonably should know that the person is frightened, intimidated, or harassed, even if the perpetrator lacks such intent.

## Drug, Liquor, and Weapon Violations

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

**Liquor Law Violations** are violations 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; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

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

## Preparation of Annual Crime and Fire Statistics

The Bellevue College (BC) Public Safety Department prepares the "Annual Security and Fire Report" (ASR) and discloses the annual crime and fire statistics in order to comply with the Clery Act. The crime, arrest, and disciplinary referral statistics for incidents on campus, in non-campus buildings or property, or on public property include those reported to the BC Public Safety Department and other campus officials with responsibility for student and campus activities such as:

- Associate Vice President for Student Affairs
- Athletic Department
- International Education
- Title IX Office
- Human Resources
- Student Programs
- Housing

The Public Safety Department also obtains information from local law enforcement regarding the occurrence of crimes on public property within the campus, on non-campus property or on property immediately adjacent to and accessible from the campus. The Public Safety Department collects all statistics and compiles them in accordance with the Clery Act.

A copy of the ASR will be available at the Public Safety Department located in the B-Building room B132 on campus at 3000 Landerholm Circle, Bellevue WA 98007. The ASR will also be available on the college website, the campus intranet, and is e-mailed to all employees.

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Safety at BC is a concern for the students, parents, and college employees. BC's administration recognizes the importance of making the campus community aware of security on campus and has made this a top priority. Each year, an e-mail notification is sent to all enrolled students, faculty, and staff providing the website address to access the Clery Act report. Hard copies (paper) of the report may also be obtained from the BC Public Safety Department (B132) or by calling the Public Safety Office at (425) 564-2400.

Bellevue College does not discriminate on the basis of race or ethnicity; creed; color; national origin; sex; marital status; sexual orientation; age; religion; genetic information; the presence of any sensory, mental, or physical disability; or veteran status in educational programs and activities which it operates. The following has been designated to handle inquiries regarding the non-discrimination policies:

Vice President of Human Resources  
Frances Dujon-Reynolds  
[Frances.dujon@bellevuecollege.edu](mailto:Frances.dujon@bellevuecollege.edu)  
425-564-2178 Office: B-126

## Annual Fire Statistics

Student housing was implemented on campus beginning Fall quarter, 2018.

Addresses:

H Building (residential)  
2488 Kelsey Creek Road SE  
Bellevue, WA 98007

H Building (Café and Hub)  
2508 Kelsey Creek Road SE  
Bellevue, WA 98007

## Bellevue College Public Safety

The BC Public Safety Department's well-trained, courteous, and non-commissioned staff provides personal safety, security, crime prevention, preliminary investigations, and other services to the campus community 24 hours a day, 7 days a week. Public Safety staff are trained and instructed in non-violent crisis intervention skills, allowing them to avoid and defuse most confrontational situations. All staff are trained in basic CPR and emergency response for major incidents (e.g., inclement weather conditions, earthquakes, medical emergencies, power failures, fire, evacuation procedures, acts of violence, hazardous substances, bomb threats, weapons use, or threats).

The BC Public Safety Department acts as the first responder for all criminal incidents, provides general patrol of campus facilities and property, investigates collisions, manages traffic safety and parking, coordinates emergency preparedness planning and provides crime prevention programs. The department responds to all reports of fire and medical aid while working in support of the Bellevue Fire Department (BFD). The Public Safety Department is a division within Administrative Services. The Director of Public Safety reports directly to the Vice President of Administrative Services.

BC Public Safety officers do not have authority to make arrests, but they work closely with federal, state, and local law enforcement agencies. Public Safety officers have the authority to ask individuals for identification and determine if that person has lawful business on campus property. The Public Safety Department maintains

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a professional working relationship with the Bellevue Police Department (BPD), which has jurisdiction on the campus; the majority of criminal incidents are referred to the Bellevue Police Department.

All crime victims and witnesses are strongly encouraged to immediately report any crime to the BC Public Safety Department as well as the appropriate law enforcement agency. Prompt reporting will ensure timely warning notices to the campus and timely disclosure of crime statistics. A Public Safety officer can be reached by calling (425) 564-2400 during regular business hours or directly on the department's mobile duty phone after hours by dialing (425) 466-9365.

## Local Law Enforcement Agencies

BC has one formal agreement with Bellevue Police Department (BPD). A memorandum of understanding (MOU) is in place regarding crimes related to the Violence Against Women Act. BC Public Safety also has cooperative relationships with King County Sheriff's Department, Washington State Patrol, and other area law enforcement jurisdictions. The BC Public Safety office cooperates with additional agencies including, but not limited to, law enforcement, fire, investigators, detectives, the Department of Corrections, and others, with warrants, missing persons, and any other matter matters as needed.

## Jurisdiction

BPD has law enforcement jurisdiction on all BC properties and investigates crimes and reported incidents according to their procedures. The King County Sheriff's Office has secondary law enforcement jurisdiction on all BC properties. As a standard practice, the Sheriff's Office does not respond to campus property unless needed for emergency assistance and called by BPD, or for self-initiated activity by a King County Sheriff's Office deputy.

## Reporting Crimes/Emergencies

The Bellevue College campus is relatively safe, with property crimes being the main concern. Community members, students, faculty, staff, and visitors are encouraged to immediately, or in a timely manner, report incidents that may constitute an emergency, a crime, a student code of conduct violation, or a physical injury. Remember, prompt reporting improves campus safety and security.

To report a crime, emergency, or criminal activity, call the Bellevue College (BC) Public Safety Department at (425) 564-2400 (or ext. 2400 from any campus office telephone) during office hours, direct at (425) 466-9365 after hours. Reports can be made directly at the Public Safety Office in room B-132. Bellevue Police non-emergency reporting may be reached at (425) 452-6917. For a life-threatening emergency, call 911 immediately. Campus office phones can dial 911 without dialing "9" first to access an outside line.

Please notify Public Safety as soon as it is safe after calling 911. Public Safety officers assist first responders by directing response vehicles to the location of the emergency. [Emergency call boxes are located throughout the campus](#) and are connected directly to the BC Public Safety Department.

## Campus Security Authorities

In some circumstances, individuals may choose to report suspected criminal activity a Campus Security Authorities in accordance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or, the Clery Act. Campus Security Authorities (CSA's) are specially trained employees who have significant responsibility for student and campus activities and often the first person to whom a student,

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employee or campus visitor reports a crime.

CSA's include, but are not limited to:

- Director of Public Safety
- All Public Safety Officers
- Clery Compliance Officer
- Director of Student Care & Community Standards
- Title IX Coordinator(s)
- Diversity, Equity & Inclusion Vice President
- Diversity, Equity & Inclusion and Program Manager
- OVW Grant Program Coordinator
- Associate Vice President of Student Affairs
- Student Success Manager
- Vice President of Human Resources
- Human Resources Staff
- Associate Vice President for Instruction
- High School Programs Staff
- Dean of Student Support
- Dean of Student Life
- Dean of Student Central
- Director of the Disability Resource Center
- Disability Resource Center Staff
- Director of Enrollment Services
- Enrollment Services and Financial Aid Staff
- Director of Multicultural Services
- Multicultural Services Staff
- Associate Director of Placement and Testing Services
- Director of Student Programs
- Student Programs Staff
- Director of TRiO
- TRiO Specialist(s)
- Welcome Center Director
- Welcome Center College Navigator
- All Workforce Development Staff
- Athletic Director and Assistant Athletic Director
- Athletic Coaches and Trainers
- Associate Dean of Occupational Life Skills
- Occupational Life Skills Staff
- Director and Associate Director of the Early Learning Center
- Early Learning Center Staff
- International Education Staff
- Office of the President
- Library Staff
- Club and Program Advisors
- Director of the Counseling Center
- Director of Housing
- Housing Staff

**Note:** "Professional Counselors," whose official responsibilities include providing mental health counseling, when acting in that capacity for BC within the scope of their license or certificate, are exempt from disclosing information on crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, counselors are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crime on a voluntary basis for inclusion into the annual crime statistics. There are no pastoral counselors on campus. Title IX representatives are not professional counselors and may be required to report certain incidents to law enforcement agencies.

Call the BC Public Safety Department if:

- Someone is injured or ill
- A non-emergency fire or the smell smoke or gas
- Someone is behaving suspiciously
- Someone is hurting another person

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- There is a non-emergency crime in progress
- Something has been stolen
- Someone forcing entry into a building or vehicle
- Anything that may be a safety or hazardous situation

For all emergencies, first call 911. Call Public Safety as soon as it is safe to do so. Do not assume that someone else has called or will call. Provide the dispatcher with as much accurate, detailed information as you are able.

Please include your name, the location of the incident/ emergency, the circumstances, the status of any person(s) involved, and a general description of the situation. Stay on the line until the operator ends the call.

Reports to Public Safety can be made 24 hours a day, 7 days a week, including holidays. Reports can be kept confidential within the guidelines established by the General Education Provisions Act, the Campus Security Act, and applicable Washington State laws. Public Safety officers will respond to reports of emergencies, crimes, or criminal activity. Officers will complete an incident report for any crime or emergency that occurs on Bellevue College campus, and any land owned or controlled by Bellevue College.

## Access to Campus Facilities

It is the policy of Bellevue College, as a public agency whose responsibility is to serve the educational needs of students and potential students, to ensure that all college buildings are open and services are available to the public during published hours of business ([policy 6100](#)).

The college's Public Safety Department is responsible for the security of all the buildings and grounds of the campus.

A building may be opened after hours to accommodate events arranged through Bellevue College Events Department. These include special approved college functions and prior arranged rentals as per the signed rental agreement. An after-hours building use request may be approved for individuals, groups or clubs needing use of Bellevue College facilities when an official rental agreement is not prepared. All after hours building use requests must be submitted to the Bellevue College Director of Public Safety or designee for approval in advance of building use.

The BC Public Safety Department is available on campus 24 hours a day, 7 days per week. At the end of normal business hours, Public Safety officers will secure all the doors on the campus. During after-hours use, access to all College facilities is by key, code or access card, if issued, or by admittance by Public Safety officers. Permission/approval for all after hours building use must be submitted to the BC Director of Public Safety in advance of the building use, this includes all facilities management and maintenance use.

Unauthorized access to buildings, rooms, housing or facilities and/or disorderly, disruptive or criminal behavior on campus, or in any college-controlled facility, may at a minimum result in the person being removed from the campus. Failure to leave when lawfully requested may result in charges of criminal trespass. If a person served with a prior trespass notice reappears on campus, or if a person is found in a posted facility with no legitimate purpose, they may be subject to immediate arrest.

Any individual or group granted permission to use college facilities shall agree in advance to abide by all college rules and regulations ([policy 6100](#)).

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## Timely Warnings

If a situation arises that, in the judgment of the Director of Public Safety, constitutes a serious and/or on-going threat, a campus wide timely warning will be issued as soon as pertinent information is available as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

A timely warning is a notification to the campus community concerning the occurrence of a Clery reportable crime that poses a serious and on-going threat. Each incident is considered on a case-by-case basis, depending on the facts of the case and the information currently available.

Students, faculty, staff, community members, and guests are encouraged to report all crimes and public safety-related incidents to Bellevue College Public Safety in a timely manner, to aid in providing accurate and timely warning notices to the community when appropriate, and to ensure inclusion in the annual crime statistics. Professional counselors are not obligated to report crimes under the timely warning requirement.

Depending on the circumstances of the crime, especially in situations that could pose an immediate threat to the community and individuals, the Bellevue College (BC) Public Safety Department may employ a variety of different mechanisms to notify the campus (i.e., BC website; postings; email; text alert or other methods of communication that may be deemed appropriate.)

Bellevue College has partnered with Rave Mobile Safety to offer an emergency alert notification system called BC Alerts. BC Alerts is the primary method for sending timely warnings. The BC Alerts service delivers reliable emergency text and email messages to subscribers anytime there is an emergency on campus that poses a safety concern for the community. Anyone can sign up for BC Alerts by visiting

<http://www.bellevuecollege.edu/alerts/rave>.

Timely warning notifications are written by the Director of Public Safety or their designees. The timely warning content will contain sufficient information about the nature of the threat to allow members of the campus to take protective action, and may include the following:

- A succinct statement of the incident
- Possible connection to previous incidents if applicable
- Date, time, and location of the warning
- Description and drawing of the suspect, if available
- Risk reduction and safety tips
- Other relevant and important information

In some cases, Bellevue College may need to keep some facts confidential to avoid compromising an ongoing investigation, and/or to protect the privacy of the individuals involved. Anyone with information warranting a timely warning should report the circumstances to BC Public Safety.

In the case of a campus emergency an archive of alerts will display below the most recent alert on the webpage. The most recent alert will be emailed to all campus addresses. Alerts will also be texted to you if you have registered your mobile number. Further information regarding the RAVE Alert System is available on the Public Safety website.

To report an emergency, dial **911**. To report a crime, emergency, or criminal activity, call the Bellevue College (BC) Public Safety Department at (425) 564-2400 (or ext. 2400 from any campus office telephone) during

office hours, direct at (425) 466-9365 after hours. Reports can be made directly at the Public Safety Office in room B-132.

## Emergency Procedures

The College has established the following procedures to help prevent or minimize injury to BC students, employees and visitors in the event of a fire, medical emergency, earthquake, or other crises. Students and employees are encouraged to review and learn the steps for each emergency scenario, as well as familiarize themselves with the location of all first-aid stations, manual fire alarm boxes, and fire extinguishers. Detailed procedures can be found on the Public Safety website <https://www.bellevuecollege.edu/publicsafety/> under Emergency Procedures.

Emergency maps posted in classrooms, offices and stairwells point out the location of first-aid stations, manual fire alarm boxes, and fire extinguishers, as well as evacuation routes and assembly areas. Employees at college sites other than main campus should call 911 first and the BC Public Safety office second in any potentially life-threatening situation.

Bellevue College has partnered with Rave Mobile Safety to offer an emergency alert notification system called BC Alerts. The BC Alerts service delivers reliable emergency text and email messages to you anytime there is an emergency on campus that poses a safety concern for the community. Emergencies are considered any event that poses a safety risk to the campus community.

**Emergency Call Boxes** – Call boxes are located throughout the campus and are directly connected to the BC Public Safety Department.

**BC's emergency hotline message** – Call (425) 401-6680 for emergency information, including campus closure information.

## Notification Methods and Procedures

Upon notification of an incident, a Bellevue College officer will confirm the information received by physically going to the location where the incident occurred. A sergeant, the Assistant Director, the Director of Public Safety, or the Vice President of Administrative Services will be advised of the circumstances. They are responsible for making the determination on whether the incident is a significant emergency, or dangerous situation, involving an immediate threat to the health and safety of the students and employees on campus. The appropriate segment(s) of the campus community to receive the notification is then identified, as well as the content of such a notification.

BC provides this information using a number of distribution methods. The notification will be sent out immediately, while taking into consideration the safety of the campus community. The initiation of the notification system will be made without delay, unless it is determined in the professional judgement of the responsible authorities that to do so may compromise campus safety, efforts to assist an individual(s), and/or contain, respond to, or otherwise mitigate the emergency. It is strongly encouraged that departments also use telephone trees to inform staff members of any closure or emergency. The following procedures and notification methods are used for campus closures:

### **On-campus notifications (if a decision to close is made during the day):**

- Email notification to Public Safety by the President's office or the VP of Administrative

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Services ☐☐☐ Public Safety will immediately notify instructors and students in classrooms.

**Off-campus notifications (at all times of the day):** The college will make closure information available to people off-campus in the following ways:

- **BC Alerts** (BC's emergency notification system) – BC sends an e-mail and/or text message as soon as possible when the college closes due to weather or any other emergency. The VP of Administrative Services, the Emergency Operations Manager or designee will create the emergency message and send it to the campus community. Sign up for this service [here](#). This system receives the highest priority among several channels the college uses to communicate emergency messages to students and employees.
- **FlashAlert** – BC (and many other Puget Sound area schools) posts emergency communications on the [FlashAlert](#) website. This is the source the media uses to get their closure information and will be BC's second priority in disseminating emergency messages. You may subscribe to FlashAlert's email and text message service [here](#). Most TV and radio stations broadcast these messages periodically. Please remember, TV and radio stations do not name schools that will be staying open. If BC is not mentioned, assume that classes will meet and offices are open.
- **BC's emergency hotline message** – Call (425) 401-6680 for emergency information, including campus closure information.

Bellevue College will test such emergency response and notification procedures on at least an annual basis. Tests may be announced or unannounced. These emergency response procedures will be documented, for each test, a description of the exercise, the date, time, whether it was announced or unannounced and publicized and available upon request. The results of each test will be used to evaluate and assess the campus emergency plans and capabilities in the event that an emergency occurs.

## Power Failure

In the case of a power failure, do the following:

- Shut off computers and other sensitive equipment.
- Contact Public Safety direct at (425) 466-9365 or office at (425) 564-2400.
- If there is no or little natural light in the area, evacuate to an area with natural light or your nearest and/or safest [evacuation zone](#).
- If there is a fire or other emergency associated with the power failure, follow the appropriate procedures.

The Public Safety Director, the Vice President of Administrative Services, and other members of the President's Cabinet will decide on closures or other arrangements for long-term power outages.

## Fire

If you hear a fire alarm leave the area immediately and follow the evacuation procedures to your nearest or safest [evacuation zone](#). Remain in your evacuation zone until otherwise directed by Public Safety or Fire Department personnel. The Bellevue Fire Department (BFD) responds to all major fires on campus. Small fires (such as bark fires found in landscaping) do not require a BFD response and are extinguished by staff, including Public Safety Officers. If BFD assistance is needed, 911 will be called or they will be dispatched by the monitoring service for the fire control panels.

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If there is a fire, Public Safety will attempt to prevent others from entering the area.

- Do not use elevators to evacuate. Assist others in need if possible.
- Avoid locations close to the fire, especially if it is near a gas line.
- If you suspect or witness a fire near or inside of a building with no alarm sounding:
  - Pull an evacuation alarm pull station for the building. Each building has multiple pull stations, which will activate the evacuation alarm.
  - If the fire is outside and not near a building (bark or bush fire), avoid the area and try to prevent others from entering the area as well.
  - Call 911 and provide them with your location, the location of the fire (building and room), the telephone number you are calling from, and the size/type of the fire (example: large trash can fire or small electrical fire).
  - Call Public Safety during business hours at (425) 564-2400, or after hours directly at (425) 466-9365, or ext. 2400 from a campus phone and provide them with the same information.
  - If you are trained in the use of a fire extinguisher, you may attempt to extinguish the fire.

Remember, your safety comes first. If extinguishing the fire puts yourself or others at risk, evacuate the area. Do not re-enter the building until you are authorized to do so by Public Safety or emergency personnel. An annual fire drill is conducted for the entire campus and quarterly drills are conducted for those buildings with student housing and childcare.

## Earthquake

### What to Do During an Earthquake

**Drop:** Drop wherever you are on to your hands and knees. If you're using a wheelchair or walker with a seat, make sure your wheels are locked and remain seated until the shaking stops.

**Cover:** Cover your head and neck with your arms. If a sturdy table or desk is nearby, crawl underneath it for shelter. If there is no shelter nearby, crawl next to an interior wall (away from windows). Crawl only if you can reach better cover without going through an area with more debris. Stay on your knees or bent over to protect vital organs.

**Hold on:** If you are under a table or desk, hold on with one hand and be ready to move with it if it moves. If you can't find a table or desk, cover your head and neck with both arms and hands. If seated and unable to drop to the floor, bend forward, cover your head with your arms, and hold on to your neck with both hands.

### Remember:

- Stay calm and stay where you are.
- If you are indoors, stay indoors. Move away from windows, glass walls, doors, and unsecured falling hazards.
- If you are outdoors, stay outdoors. Move away from overhead electric wires, poles, buildings, or anything that may fall. Crouch down, if possible, and cover your head and neck with your arms.
- Remain in your sheltered area until the shaking stops, then proceed to your nearest or safest evacuation zone.
- Avoid areas near gas mains.

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- Assist others in need and provide aid if you are qualified to do so. Wait for further instructions before returning to buildings

## Medical Emergency

### What to Do in the Case of Injury or Medical Emergency

- Call 911 if necessary. If emergency services are not needed, or when it is safe to do so, call Public Safety at (425) 564-2400 or after hours at (425) 466-9365. State that medical aid is needed and describe the situation. Include as much information as is available, such as:
  - Your location, including the building and room number if known.
  - The telephone number from which you are calling;
  - The location of the injured or sick person (if different from the current location)
  - The person's condition (e.g. bleeding, breathing erratically, unconscious)
  - The nature of the injury or medical problem, if known
- If 911 has not been called or the situation worsens, Public Safety may determine it is necessary to call for additional aid.
- A Public Safety officer will arrive at the scene as soon as possible.

### What to Do While Waiting for Help to Arrive

- Do not leave the scene or leave the injured person alone.
- Do not move the injured person unless it is
- Provide first aid if you are qualified to do so.

## Violent Intruder

If an armed or threatening intruder comes onto college property it is very important that you report it immediately and take protective actions. When a violent intruder incident occurs, your focus must be your personal safety and the safety of those around you. Remain calm and know your options for protecting yourself in violent intruder situations:

- **RUN:** Have an escape route/plan in mind; leave belongings and vehicles behind; and keep your hands visible.
- **HIDE:** If you cannot run, hide in an area out of the shooter's view. Block entry to your hiding place, lock doors, and silence your electronic devices. Do not go near windows and close blinds if possible. Stay hidden until help arrives.
  - To lock certain doors on campus, use the key in the red box next to the door.
- **FIGHT:** Attempt to incapacitate the intruder; act with physical aggression and throw items at the intruder. This is a last resort.

Once you are in a safe location, call 911. Do not assume someone else has called. When there is a violent intruder on campus, it is extremely important that you follow the instructions of law enforcement personnel. They are there to help, but their goal is to neutralize the threat. Follow any and all instructions; keep your hands clearly visible; and avoid pointing and yelling.

In the event of an emergency, Bellevue College will, considering the safety of the community, determine the content of the notification, and initiate the notification system, unless issuing a notification will, in the

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professional judgment of responsible authorities, compromise efforts to assist a victim, or to contain, respond to, or otherwise mitigate the emergency.

## Missing Student Policy

### Purpose

Bellevue College is committed to providing a safe environment for all students. These procedures set forth how the college will identify potentially missing students and provide appropriate notification to law enforcement and emergency contacts.

### Procedures

If a member of the college community, including faculty, staff or students, has reason to believe that a student has been missing for 24 hours or more, a report must be made to the Bellevue College Public Safety Department and the local law enforcement agency in the jurisdiction where the student resides. This applies regardless of the student's age.

This report can be made in person at BC Public Safety, by calling Public Safety direct at (425) 466-9365 or office at (425) 564-2400, or, in the case of a perceived life safety concern, by calling 911. If there are suspicious circumstances (e.g., notes left, social media posts, signs of a struggle), college authorities or law enforcement should be notified immediately.

In addition to requiring that a report be made directly to Bellevue College Public Safety staff, reports may also be made to the Dean of Student Support, Dean of Student Life, Director of Housing, and/or Director of Student Care and Community Standards via Bellevue College's CARE Report Form.

The college will cooperate, aid, and assist the primary investigative agency in all ways prescribed by law. All possible efforts will be made to locate the student to determine their state of health and well-being through the collaboration of Public Safety, Student Affairs, Housing, the local law enforcement agency, and other organizations as needed.

A student may be considered missing if:

1. The student has been absent from class and campus and there are other indications that the student may be missing (e.g., an alert by another student, social media postings, evidence of troubled circumstances)
2. A college official, parent, suite mate, or cohort member reports that regular contact with the student has stopped with no explanation
3. A known medical or health related concern exists, and an unexplained absence occurs
4. Residential staff believe that a student may be missing based upon absence from the residence or other information received by staff

### Welfare Check for Students Residing in On-campus Housing

If a staff member from BC Housing suspects, for any reason, that a resident is missing they will notify Public Safety immediately. Housing staff will perform a routine health and wellness check of the student's room (e.g., access system, room locks, room, roommate). Housing staff will then attempt to contact the student via all available contact information, including missing student and emergency contacts. If no contact has been made with the student and they have been verified to be missing for 24 hours or more, Public Safety will contact local

law enforcement to file a formal Missing Person's report.

College officials from Housing, Public Safety or other departments will endeavor to determine the student's whereabouts by contacting friends, family, associates, and/or employers of the student. Appropriate BC staff will make every effort to determine whether the student has been attending classes, labs, recitals, scheduled organizational or academic meetings or other college events, or has been appearing for scheduled work shifts. After a student has been located, college officials will follow-up to determine whether they intend to return to classes and/or residency. When and where appropriate, a referral will be made to student affairs through the submission of a CARE Team report.

## Missing Student Contact

Students who reside in BC student housing and are under the age of 18 are required to identify a contact person for the college to notify in a missing student case. Students who reside in BC student housing and are 18 or older, or a legally emancipated minor, must identify a missing student contact person or opt-out of providing that information in their application to reside in BC student housing.

Student residents should keep missing student contact information updated with housing. Students indicate their missing persons contact on their housing application, so it is supplied at the time of application. Students may update, edit, or change their missing persons contact at any time by editing their resident profile in our eRezLife system. This information will not be disclosed outside of a missing student investigation.

Notification to the listed missing student contact, or if none is listed, any known family member, will be made within 24 hours of the time public safety or the local law enforcement agency determines the student is missing. Students under the age of 18 and not emancipated must indicate a parent or guardian as their missing student contact.

### Student Residing Off-campus

If a missing student lives off-campus, public safety will enlist the aid of local law enforcement in the jurisdiction where the student resides.

## Alcohol & Drug Policies

Bellevue College employees, students and visitors are required to abide by all federal and state laws, local ordinances, Washington State Board for Community and Technical College policies, and other related state and federal requirements regarding the consumption or possession of alcoholic beverages, controlled substances, and illegal drugs.

## Institutional Policies

BC [Policy 4500](#) states: "Bellevue College intends to provide a drug-free, healthful, safe, and secure work and educational environment. Each employee is expected to report to work in an appropriate mental and physical condition to perform his/her assigned duties. Each student is expected to be in an appropriate mental and physical condition to participate fully in the learning process."

Public Safety and residence hall staff enforce all college policies concerning the purchase, possession, consumption, sale, and storage of alcoholic beverages and drugs. Individuals must be 21 years of age to buy, possess, or drink alcoholic beverages. Alcoholic beverages will not be served at Bellevue College campus events without the approval of the provost or their designee. Bellevue College Public Safety Department staff

may be required for any events serving alcohol. Alcoholic beverages may not be served at student club meetings or events. See BC [Policy 6150](#).

Bellevue College adheres to the Drug-Free Schools and Communities Act of 1989. No student or employee shall possess or distribute an illicit drug, as defined by the Washington Uniform Controlled Substances Act, RCW 69. Such possession or distribution is prohibited in any building or on any property owned or operated by the college. Possession is defined to include any area or property for which the student is responsible.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in or on Bellevue College owned or controlled property, or while conducting Bellevue College business, is prohibited. Violation of this policy will be reason for appropriate personnel action, or for mandatory evaluation/treatment for substance abuse.

Any personnel actions and student violations will be processed in accordance with state regulations, bargaining unit agreements, student conduct code, or other appropriate policies of the college. Any disciplinary action for employees or students will be decided on a case-by-case basis depending upon the specific circumstances.

**Employees must report any conviction under a criminal drug statute for violations occurring in or on property owned or controlled by Bellevue College or while conducting Bellevue College business. An employee shall report any such conviction to their supervisor within five (5) days after the conviction. Bellevue College must report the conviction to the appropriate federal grant/contracting agency within ten (10) days after having received notice that a person employed under a federally sponsored grant or contract has any drug statute conviction or violation occurring in the workplace.**

Bellevue College recognizes drug abuse and/or dependency to be a health, safety, and security problem. Employees needing assistance with problems related to drug or alcohol abuse are encouraged to use the State Employee Assistance Program (EAP) and/or employee medical insurance plans, as appropriate. Conscientious efforts to seek such help will not jeopardize employment.

The Board of Trustees of Community College District VIII recognizes alcoholism, alcohol abuse, chemical dependency, and other health and related behavioral problems as treatable conditions which repeatedly and continually interfere with an employee's ability to perform his/her job. A college employee having these conditions will be given the same consideration and offer of assistance presently extended to employees having other illnesses."

Students who have been found responsible for drug or alcohol abuse through the Student Conduct process may also be provided support through educational and/or behavioral sanctions and/or referrals to relevant on and off campus resources for addressing substance use and/or addiction. In addition, students who voluntarily disclose substance use and/or addiction for the purposes of seeking medical attention may be covered under Bellevue College's Amnesty Policy (WAC 132H-126-150).

## Prohibited Student Conduct

The Student Conduct Code ([WAC 132H-126-100](#)) prohibits the use of alcohol, drug and tobacco except as permitted by law.

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

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

- **Drugs:** The use, possession, production, delivery, sale, or being under the influence of any prescription drug or possession of drug paraphernalia, including anabolic steroids, androgens, or human growth hormones as defined in chapter 69.41 RCW, or any other controlled substance under chapter 69.50 RCW, except as prescribed for a student's use by a licensed practitioner.
- **Marijuana:** The use, possession, growing, delivery, sale, or being visibly under the influence of marijuana or the psychoactive compounds found in marijuana and intended for human consumption, regardless of form, or the possession of marijuana paraphernalia on college premises or college-sponsored events. While state law permits the recreational use of marijuana, federal law prohibits such use on college premises or in connection with college activities.
- **Tobacco, electronic cigarettes and related products:** The use of tobacco, electronic cigarettes, and related products is prohibited in any building owned, leased, or operated by the college or in any location where such use is prohibited, including twenty-five feet from entrances, exits, windows that open, and ventilation intakes of any building owned, leased, or operated by the college. Related products include, but are not limited to, cigarettes, pipes, bidi, clove cigarettes, water pipes, hookahs, chewing tobacco, and snuff.

Students found responsible for violating these policies may be subject to a warning through dismissal from the college and denial of future registration.

## Washington State Drug Laws (RCW 69.50)

The following is a partial list of illicit drugs considered to be controlled substances by the State of Washington: Narcotics (opium and cocaine, and all drugs extracted, derived or synthesized from opium and cocaine, including crack cocaine and heroin); Methamphetamine; Barbiturates; and Hallucinogenic Substances (LSD, peyote, mescaline, psilocybin, PCP).

RCW [69.50.401](#) outlines the penalties associated for prohibited drug use. Except as authorized by this Chapter [69.50](#) RCW, it is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver, a controlled substance. Any person who violates this section with respect to:

- a. A controlled substance classified in Schedule I or II which is a narcotic drug or flunitrazepam, including its salts, isomers, and salts of isomers, classified in Schedule IV, is guilty of a class B felony and upon conviction may be imprisoned for not more than ten years, or (i) fined not more than twenty-five thousand dollars if the crime involved less than two kilograms of the drug, or both such imprisonment and fine; or (ii) if the crime involved two or more kilograms of the drug, then fined not more than one hundred thousand dollars for the first two kilograms and not more than fifty dollars for each gram in excess of two kilograms, or both such imprisonment and fine;
- b. Amphetamine, including its salts, isomers, and salts of isomers, or methamphetamine, including its salts, isomers, and salts of isomers, is guilty of a class B felony and upon conviction may be imprisoned for not more than ten years, or (i) fined not more than twenty-five thousand dollars if the crime involved less than two kilograms of the drug, or both such imprisonment and fine; or (ii) if the crime involved two or more kilograms of the drug, then fined not more than one hundred thousand dollars for the first two kilograms and not more than fifty dollars for each gram in excess of two kilograms, or both such

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imprisonment and fine.

Three thousand dollars of the fine may not be suspended. As collected, the first three thousand dollars of the fine must be deposited with the law enforcement agency having responsibility for cleanup of laboratories, sites, or substances used in the manufacture of the methamphetamine, including its salts, isomers, and salts of isomers. The fine moneys deposited with that law enforcement agency must be used for such clean-up cost;

- c. Any other controlled substance classified in Schedule I, II, or III, is guilty of a class C felony punishable according to chapter [9A.20](#) RCW, except as provided in RCW [69.50.475](#);
- d. A substance classified in Schedule IV, except flunitrazepam, including its salts, isomers, and salts of isomers, is guilty of a class C felony punishable according to chapter [9A.20](#) RCW; or
- e. A substance classified in Schedule V, is guilty of a class C felony punishable according to chapter [9A.20](#) RCW

More severe penalties are provided for persons convicted of providing controlled substances to minors, to repeat offenses, and to offenses on or near schools or parks.

### Marijuana

Marijuana remains illegal for minors (persons under 21 years of age) to possess, sell, or use and is illegal to possess for a person of any age in amounts over 28.3 grams. Marijuana remains illegal under federal law and policies concerning marijuana at the College remain unchanged. It is illegal to produce, distribute or use marijuana on college property or during college-sponsored activities.

### Federal Drug Laws

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are provided for drug convictions, including mandatory prison terms for many offenses. The following Drug Enforcement Administration link provides an overview of possible federal penalties:

[https://www.dea.gov/sites/default/files/drug\\_of\\_abuse.pdf](https://www.dea.gov/sites/default/files/drug_of_abuse.pdf), pages 30-31.

### Substance Abuse Education

Drugs and alcohol use can lead to both short- and long-term health problems. According to the [National Institute on Alcohol Abuse and Alcoholism](#), drinking too much, on a single occasion or over time, can affect your health. Alcohol interferes with the brain's communication pathways and creates disruptions that affect your mood, behavior, and ability to think clearly. Alcohol consumption can also weaken your immune system. Drinking a large amount over time or too much on a single occasion can damage the heart, liver, and pancreas. Research is also showing an emerging connection between alcohol consumption and the development of certain types of cancers.

The National Institute on Drug Abuse provides extensive information on commonly abused drugs. The [Commonly Used Drugs Chart](#) includes drug street names, commercial names, common forms, common ways taken, DEA schedule and possible health effects. It can be found at [Commonly Abused Drugs Charts](#).

College and community resources are available to assist students and employees with problems related to alcohol and other substance abuse, which include dissemination of informational materials, educational programs, counseling services, and referrals.

Employees are encouraged to voluntarily seek expert assistance for alcoholism, drug dependency, or any other job-impairing personal problems. Free, professional help is available to all employees on a confidential

basis through the state's Employee Assistance Program (EAP). Students who feel they might have a problem with drug and/or alcohol abuse are encouraged to make an appointment with a counselor in the Counseling Center. A BC counselor will refer students to the appropriate off-campus resource.

### **Bellevue College Counseling Center**

425-564-5747

The front desk is located on the second floor of the Student Success Center building (U- Building).

[askacounselor@bellevuecollege.edu](mailto:askacounselor@bellevuecollege.edu)

When emailing a counselor, please email only one counselor. Please allow 24-48 hours for a response if email is sent during regular business hours (Monday – Friday 8 a.m. to 5 p.m.).

If there is an immediate health-related emergency, please call **911**, Public Safety at direct at **(425) 466-9365** or office at **(425) 564-2400** or the 24-hour crisis line at **(206) 461-3222**.

### Education Resources

- [Alcohol Drug Helpline](#) – This is an excellent resource for anyone who is overwhelmed and scared by their own or someone else's alcohol or drug abuse.
- [Find an AA meeting](#) – Alcoholics Anonymous is a fellowship of people who share their experiences, strength, and hope with each other so that they may solve their common problems and help others to recover from alcoholism. This link will allow you to search for Alcoholics Anonymous meetings in your area.
- [Rethinking Drinking: Alcohol & Your Health](#) – Learn more about how drinking may affect your health using this tool from the U.S. Department of Health and Human Services.

### External Resources

**Eastside Intergroup:** 425-454-9192 (24-hour hotline) Address: 13401 Bel-Red Rd.

Bellevue 98005 <https://www.eastsideintergroup.org/>

**Alcoholics Anonymous:** <http://www.aa.org>

**Al-anon** (support for those affected by alcohol use): <http://www.al-anon.org>

**Narcotics Anonymous:** <http://www.na.org>

### Student Conduct Code

The Student Conduct Code ("Code") may be found under the WAC (Washington Administrative Code) [WAC 132H-126](#). The Code includes definitions, jurisdictions, student standards, procedures and violations of campus policies. A student can appeal a disciplinary action by filing a written notice of appeal with the conduct review officer within twenty-one days of service of the student conduct officer's decision. More information about the appeal process is found in [WAC 132H-126](#).

132H-126-030 provides the "Statement of Jurisdiction" for WAC 2050:

(1) The student conduct code shall apply to conduct by students or student groups that occurs:

(a) On college premises;

(b) At or in connection with college-sponsored activities; or

(c) Off-campus, if in the judgment of the college the conduct adversely affects the college community or the pursuit of its objectives.

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[The Student Code of Conduct was reviewed and revised in early 2024. The updated Code, including the College's prohibited conduct under Title IX, was published on March 13, 2024.](#)

### Standard of Evidence for Disciplinary Proceedings

Bellevue College utilizes a preponderance standard (it is more likely than not that a violation occurred) when reviewing a complaint. Preponderance as our evidentiary standard is consistent in both the prior Code published, on January 25, 2023, and the March 13, 2024 revised Code.

### Disciplinary Sanctions

BC enforces disciplinary sanctions in a consistent manner and in accordance with local, state, and federal laws to include the Student Conduct Code. More than one of the disciplinary terms and conditions may be imposed for any single violation.

As outlined in the January 25, 2023 Code:

#### **Disciplinary sanctions—Terms and conditions.**

(1) The following disciplinary sanctions may be imposed upon students found to have violated the student conduct code:

(a) **Disciplinary warning.** A verbal statement to a student that they are violating or have violated the student conduct code and that continuation of the same or similar behavior may result in more severe discipline.

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

(c) **Disciplinary probation.** Formal action placing specific conditions and restrictions upon the student's continued attendance, depending upon the seriousness of the violation, which may include a deferred disciplinary sanction.

(i) Probation may be for a limited period of time or may be for the duration of the student's attendance at the college.

(ii) If the student subject to a deferred disciplinary sanction is found in violation of any college rule during the time of disciplinary probation, the deferred disciplinary sanction, which may include, but is not limited to, a suspension or a dismissal from the college, shall take effect immediately without further review. Any such sanction shall be in addition to any sanction or conditions arising from the new violation.

(d) **Disciplinary suspension.** Separation from the college and from the student status for a stated period of time.

(i) There will be no refund of tuition or fees for the quarter in which the action is taken.

(ii) Conditions of suspension may be imposed and will be specified. Except as otherwise specified in the final order, all conditions must be fulfilled before the end of the suspension period. Failure to fulfill all conditions of suspension in a timely manner will extend the suspension period and any conditions, and may result in additional disciplinary sanctions.

(iii) The college may put a conduct hold in place during the suspension period.

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

(2) Disciplinary terms and conditions that may be imposed in conjunction with the imposition of a

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disciplinary sanction include, but are not limited to, the following:

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

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

(c) **No contact order.** A prohibition of direct or indirect physical, verbal, electronic, and/or written contact with another individual or group.

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

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

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

(e) **Professional evaluation.** Referral for drug, alcohol, psychological, or medical evaluation by an appropriately certified or licensed professional.

(i) The student may choose the professional within the scope of practice and with the professional credentials as defined by the college.

(ii) The student will sign all necessary releases to allow the college access to any such evaluation.

(iii) The student's return to college may be conditioned upon compliance with recommendations set forth in such a professional evaluation. If the evaluation indicates that the student is not capable of functioning within the college community, the student will remain suspended until future evaluation recommends that the student is capable of reentering the college and complying with the rules of conduct.

(f) **Residence hall suspension.** Separation of the student from a residence hall or halls for a definite period of time, after which the student may be eligible to return. Conditions for reacceptance may be specified.

(g) **Residence hall dismissal.** Permanent separation of the student from a residence hall or halls.

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

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

(3) More than one of the disciplinary terms and conditions listed above may be imposed for any single violation.

(4) If a student withdraws from the college or fails to reenroll before completing a disciplinary sanction or condition, the disciplinary sanction or condition must be completed either prior to or upon the student's reenrollment, depending on the nature of the sanction, condition, and/or the underlying violation. Completion of disciplinary sanctions and conditions may be considered in petitions for readmission to the college.

Per the March 13, 2024 Code, the following disciplinary sanctions may be imposed upon students found to have violated the student conduct code:

**Disciplinary warning.** A verbal statement to a student that they are violating or have violated the student conduct code and that continuation of the same or similar behavior may result in more severe discipline.

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

**Disciplinary probation.** Formal action placing specific conditions and restrictions upon the student's

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

**Disciplinary suspension.** Separation from the college and from the student status for a stated period of time. There will be no refund of tuition or fees for the quarter in which the action is taken. Conditions of suspension may be imposed and will be specified. Except as otherwise specified in the final order, all conditions must be fulfilled before the end of the suspension period. Failure to fulfill all conditions of suspension in a timely manner will extend the suspension period and any conditions and may result in additional disciplinary sanctions. The college may put a conduct hold in place during the suspension period.

**Dismissal.** The revocation of all rights and privileges of membership in the college community and exclusion from the campus and college-owned or college-controlled facilities without any possibility of return. There will be no refund of tuition or fees for the quarter in which the action is taken.

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

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

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

**No contact order.** A prohibition of direct or indirect physical, verbal, electronic, and/or written contact with another individual or group.

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

- Ineligible to hold an office in any student organization recognized by the college or to hold any elected or appointed office of the college.
- Ineligible to represent the college to anyone outside the college community in any way, including representing the college at any official function, or any forms of intercollegiate competition or representation.

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

**Residence hall suspension.** Separation of the student from a residence hall or halls for a definite period of time, after which the student may be eligible to return. Conditions for reacceptance may be specified.

**Residence hall dismissal.** Permanent separation of the student from a residence hall or halls.

**Restitution.** Reimbursement for damage to or misappropriation of property, or for injury to persons, or for

reasonable costs incurred by the college in pursuing an investigation or disciplinary proceeding. This may take the form of monetary reimbursement, appropriate service, or other compensation.

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

If a student withdraws from the college or fails to reenroll before completing a disciplinary sanction or condition, the disciplinary sanction or condition must be completed either prior to or upon the student's reenrollment, depending on the nature of the sanction, condition, and/or the underlying violation. Completion of disciplinary sanctions and conditions may be considered in petitions for readmission to the college.

### Sexual Assault, Domestic Violence, Dating Violence, & Stalking

Bellevue College (BC), prohibits dating violence, domestic violence, sexual assault, and stalking as indicated in Student Conduct Code ([policy 2050](#)) and the Discrimination, Harassment and Retaliation ([policy 1440](#)). <https://www.bellevuecollege.edu/policies/id-1440/>

Any accommodations or protective measures provided by BC to an impacted party are protected by FERPA and the College's policies governing student records, and are therefore maintained as confidential, unless the confidentiality would impair the ability of the College to provide the accommodations or protective measures, or Title IX or Due Process requirements mandate their disclosure. The Public Safety Department maintains a daily Clery log of all incidents that occur on BC property. The log does not include personally identifying information about any impacted party(s) and is publicly available upon request.

### VAWA Crime Definitions

These definitions are used in the FBI's Uniform Crime Reporting (UCR) Program for reporting purposes and do not necessarily reflect the policy definitions used by the College in policies 2050 and 1440.

**Domestic Violence.** A felony or misdemeanor crime of violence committed:

- by a current or former spouse or intimate partner of the victim;
- by a person with whom the victim shares a child in common;
- by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- by any other person against an adult or youth victim who is protected from that person's act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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

**Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for their safety or the safety of others; or (b) suffer substantial emotional distress.

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

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

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

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

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

### Jurisdictional Definitions

These definitions are used in the Washington State Criminal Code – Revised Code of Washington (RCW) and do not necessarily reflect the policy definitions used by the College in policies 2050 and 1440.

**Consent.** Washington Statute 9A.44.010(7): “Consent” means that at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

**Domestic & Dating Violence.** The Washington State Criminal Code does not contain a separate crime of “domestic violence” or “dating violence.” Instead, crimes relating to domestic violence and dating violence are covered by other provisions of the criminal code, such as “Sexual Offenses” or “Assault” crimes. The law is gender neutral and recognizes that domestic violence occurs between members of the same or any sex.

**Washington Statute RCW 26.50.010(3):** For purposes of criminal law, “domestic violence” means: (a) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking as defined in RCW [9A.46.110](#) of one intimate partner by another intimate partner; or (b) physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, sexual assault, or stalking as defined in RCW [9A.46.110](#) of one family or household member by another family or household member.

“Family or household members” means spouses, domestic partners, former spouses, former domestic partners, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren.

“Dating relationship” means a social relationship of a romantic nature. Factors include: (a) The length of time the relationship has existed; (b) the nature of the relationship; and (c) the frequency of interaction between the parties.

**Stalking.** Washington Statute RCW 9a.46.110:

(1) A person commits the crime of stalking if, without lawful authority and under circumstances not amounting  
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to a felony attempt of another crime:

- (a) They intentionally and repeatedly harass or repeatedly follows another person; and
  - (b) The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and
  - (c) The stalker either:
    - (i) Intends to frighten, intimidate, or harass the person; or
    - (ii) Knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.
- (2) (a) It is not a defense to the crime of stalking under subsection (1)(c)(i) of this section that the stalker was not given actual notice that the person did not want the stalker to contact or follow the person; and
- (b) It is not a defense to the crime of stalking under subsection (1)(c)(ii) of this section that the stalker did not intend to frighten, intimidate, or harass the person.
- (3) It shall be a defense to the crime of stalking that the defendant is a licensed private investigator acting within the capacity of his or her license as provided by chapter [18.165](#) RCW.
- (4) Attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person.
- (5) (a) Except as provided in (b) of this subsection, a person who stalks another person is guilty of a gross misdemeanor.
- (b) A person who stalks another is guilty of a class B felony if any of the following applies:
- (i) The stalker has previously been convicted in this state or any other state of any crime of harassment, as defined in RCW [9A.46.060](#), of the same victim or members of the victim's family or household or any person specifically named in a protective order;
  - (ii) the stalking violates any protective order protecting the person being stalked;
  - (iii) the stalker has previously been convicted of a gross misdemeanor or felony stalking offense under this section for stalking another person;
  - (iv) the stalker was armed with a deadly weapon, as defined in RCW [9.94A.825](#), while stalking the person;
  - (v) (A) the stalker's victim is or was a law enforcement officer; judge; juror; attorney; victim advocate; legislator; community corrections' officer; an employee, contract staff person, or volunteer of a correctional agency; court employee, court clerk, or courthouse facilitator; or an employee of the child protective, child welfare, or adult protective services division within the department of social and health services; and (B) the stalker stalked the victim to retaliate against the victim for an act the victim performed during the course of official duties or to influence the victim's performance of official duties; or
  - (vi) the stalker's victim is a current, former, or prospective witness in an adjudicative proceeding, and the stalker stalked the victim to retaliate against the victim as a result of the victim's testimony or potential testimony.
- (6) As used in this section:
- (a) "Correctional agency" means a person working for the department of natural resources in a correctional setting or any state, county, or municipally operated agency with the authority to direct the release of a person serving a sentence or term of confinement and includes but is not limited to the department of
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corrections, the indeterminate sentence review board, and the department of social and health services.

- (b) "Follows" means deliberately maintaining visual or physical proximity to a specific person over a period of time. A finding that the alleged stalker repeatedly and deliberately appears at the person's home, school, place of employment, business, or any other location to maintain visual or physical proximity to the person is sufficient to find that the alleged stalker follows the person. It is not necessary to establish that the alleged stalker follows the person while in transit from one location to another.
- (c) "Harasses" means unlawful harassment as defined in RCW [10.14.020](#).
- (d) "Protective order" means any temporary or permanent court order prohibiting or limiting violence against, harassment of, contact or communication with, or physical proximity to another person.
- (e) "Repeatedly" means on two or more separate occasions.

### Bellevue College Policy Definitions

These definitions are used to determine violations of policy and are reflected in College policies as indicated below:

Policy series 1447, effective 07.31.24 through 12.31.24

Consent means knowing, voluntary, and clear permission by word or action, to engage in mutually agreed upon sexual activity. Each party has the responsibility to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be at the time of the act of sexual intercourse or sexual contact actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact. A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when they know, or reasonably should know, that the other person is physically or mentally incapacitated has engaged in nonconsensual sexual conduct. Intoxication is not a defense for engaging in nonconsensual sexual conduct.

Sexual violence. Sexual violence includes the following conduct:

- o Nonconsensual sexual intercourse. Any actual or attempted sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a person upon another person, that is without Consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.

- o Non-consensual sexual contact (Fondling). Any actual or attempted sexual touching, however slight, with any object or body part, by a person upon another person that is without Consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

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

- o Statutory rape (rape of a child). Non forcible sexual intercourse with a person who is under the statutory age of consent.

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o Domestic violence. Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, coercive control, damage or destruction of personal property, stalking, or any other conduct prohibited under RCW 10.99.020, committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Washington, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Washington, RCW 26.50.010.

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

- The length of the relationship;
- The type of relationship; and
- The frequency of interaction between the persons involved in the relationship.

· Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (i) fear for their safety or the safety of others; or (ii) suffer substantial emotional distress.

Policy series 1445, effective through 07.30.24.

**Quid pro quo harassment.** A college employee conditioning the provision of an aid, benefit, or service of the college on an individual's participation in unwelcome sexual conduct.

**Hostile environment.** Unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the college's educational programs or activities, or employment.

**Sexual assault.** Sexual assault includes the following conduct:

**Rape** – (Includes attempted rape, excludes statutory rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

**Sodomy** – Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

**Sexual Assault with an Object** – To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

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

**Incest** – Nonforcible sexual intercourse between persons who are related to each other within the

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degrees wherein marriage is prohibited by law.

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

**Domestic violence.** Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the State of Washington, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Washington, RCW 26.50.010.

**Dating violence.** Violence committed by a person: a. who is or has been in a social relationship of a romantic or intimate nature with the complainant b. where the existence of such a relationship shall be determined based on a consideration of the following factors:

The length of the relationship.

The type of relationship.

The frequency of interaction between the persons involved in the relationship.

**Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

fear for their safety or the safety of others; or

suffer substantial emotional distress.

Discrimination, Harassment and Retaliation (series 1440), and Student Conduct Code 2050 (WAC 132126-100).

In the January 25, 2023 Code (2050), the policy definitions were as follows:

**Sexual exploitation.** Taking nonconsensual or abusive sexual advantage of another for the respondent's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, when the behavior does not otherwise constitute one of the other sexual misconduct offenses described herein. Examples of sexual exploitation may include, but are not limited to:

(a) Invading another person's sexual privacy;

(b) Prostituting another person;

(c) Nonconsensual photography and digital or video recording of nudity or sexual activity, or nonconsensual audio recording of sexual activity;

(d) Unauthorized sharing or distribution of photographs or digital or video recording of nudity or sexual activity, or audio recording of sexual activity, unless otherwise protected by law;

(e) Engaging in voyeurism. A person commits voyeurism if they knowingly view, photograph, record, or film another person, without that person's knowledge and consent, while the person being viewed, photographed, recorded, or filmed is in a place where the person has a reasonable expectation of privacy;

(f) Knowingly or recklessly exposing another person to a significant risk of sexually transmitted disease or infection; or

(g) Causing the nonconsensual indecent exposure of another person, as defined by subsection (18) of this section.

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(25) **Sexual harassment.** Unwelcome sexual- or gender-based conduct, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual- or gender-based nature that is sufficiently severe, persistent or pervasive as to:

(a) Deny or limit the ability of a student to participate in or benefit from the college's educational program;

(b) Alter the terms or conditions of employment; or

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

For sexual harassment prohibited under Title IX, refer to WAC [132H-126-410](#).

(26) **Sexual violence.** A type of sexual harassment that includes nonconsensual intercourse, nonconsensual sexual contact, and sexual coercion.

(a) Consent is knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity.

(i) Effective consent cannot result from force, or threat of physical force, coercion, dishonesty, or intimidation.

(ii) Physical force means someone is physically exerting control of another person through violence. Physical force includes, but is not limited to, hitting, kicking, and restraining.

(iii) Threatening someone to obtain consent for a sexual act is a violation of this policy. Threats exist where a reasonable person would have been compelled by the words or actions of another to give permission to sexual activity to which they otherwise would not have consented.

(iv) Each party has the responsibility to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be at the time of the act of sexual intercourse or sexual contact actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.

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

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

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

(d) **Sexual coercion.** Unreasonably pressuring another for sexual contact. When a complainant makes it clear through words or actions that they do not want to engage in sexual contact, want to stop, or do not want to go past a certain point of sexual interaction, continued pressure beyond that point is presumptively unreasonable and coercive. Other examples of coercion may include using blackmail or extortion, or administering drugs and/or alcohol to overcome resistance or gain consent to sexual activity. Sexual contact that is the result of coercion is nonconsensual.

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

(f) **Statutory rape.** Consensual sexual intercourse between someone who is 18 years of age or older and someone who is under the age of 16.

(27) **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress. Stalking also includes instances where the perpetrator knows or reasonably should know that the person is frightened, intimidated, or harassed, even if the perpetrator lacks such an intent.

In the March 13, 2024 Code (2050), the policy definitions are as follows:

**Consent.** Consent is knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity.

- Effective consent cannot result from force, or threat of force, coercion, fraud or intimidation.
- Physical force includes but is not limited to: hitting, kicking, and restraining. Physical force means someone is physically exerting control of another person through violence.
- Threatening someone to obtain consent for a sexual act is a violation of this policy. Threats exist where a reasonable person would have been compelled by the words or actions of another to give permission to sexual activity to which he or she otherwise would not have consented.
- Each party has the responsibility to make certain that the other has consented before engaging in the activity. For consent to be valid, there must be at the time of the act of sexual intercourse or sexual contact actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact.
- A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has engaged in nonconsensual conduct. Intoxication is not a defense against allegations that an individual has engaged in nonconsensual sexual conduct.

**Sexual Misconduct.** The following definitions are reflected in both College policies 1440 and 2050 (WAC 132-126-100). Sexual misconduct is a general term that includes prohibited sex or gender-based conduct including, but not limited to, sexual harassment, sexual violence, sexual exploitation, indecent exposure, dating violence, or domestic violence. sexual harassment, non-consensual sexual intercourse, non-consensual sexual contact, sexual coercion, and sexual exploitation.

- **Sexual harassment.** Unwelcome sex- or gender-based conduct, not otherwise protected by law, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual- or gender-based nature that is sufficiently severe, persistent, or pervasive as to deny or limit, based on sex or gender, the ability to participate in or benefit from the college's educational program, alters the terms of employment, or that creates an intimidating, hostile, or offensive environment for other campus community members.
- **Nonconsensual sexual intercourse.** Any sexual intercourse (anal, oral, or vaginal), however slight, with any object, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger, or object, or oral copulation by mouth to genital contact or genital to mouth contact.
- **Nonconsensual sexual contact.** Any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force. Sexual touching includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

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- **Quid Pro Quo Sexual Harassment.** Occurs when an individual in a position of real or perceived authority, conditions the receipt of a benefit upon granting of sexual favors.
- **Sexual coercion.** Unreasonably pressuring another for sexual contact. When an impacted party makes it clear through words or actions that they do not want to engage in sexual contact, want to stop, or do not want to go past a certain point of sexual interaction, continued pressure beyond that point is presumptively unreasonable and coercive. Other examples of coercion may include using blackmail or extortion or administering drugs and/or alcohol to overcome resistance or gain consent to sexual activity. Sexual contact that is the result of coercion is non-consensual.
- **Sexual exploitation.** Taking nonconsensual or abusive sexual advantage of another for the respondent's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, when the behavior does not otherwise constitute one of the other sexual misconduct offenses described herein. Examples of sexual exploitation may include, but are not limited to invading another person's sexual privacy, prostituting another person, nonconsensual photography and digital or video recording of nudity or sexual activity, or nonconsensual audio recording of sexual activity, unauthorized sharing or distribution of photographs or digital or video recording of nudity or sexual activity, or audio recording of sexual activity, unless otherwise protected by law, engaging in voyeurism (a person commits voyeurism if they knowingly view, photograph, record, or film another person, without that person's knowledge and consent, while the person being viewed, photographed, recorded, or filmed is in a place where the person has a reasonable expectation of privacy), knowingly or recklessly exposing another person to a significant risk of sexually transmitted disease or infection, or causing the nonconsensual indecent exposure of another person.
- **Dating violence.** Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person:
  - Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - Where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - The length of the relationship;
    - The type of relationship; and
    - The frequency of interaction between the persons involved in the relationship.
- **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.
- **Domestic violence.** Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Washington, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the state of Washington, RCW 26.50.010.
- **Stalking.** Intentional and repeated following of another person, which places that person in reasonable fear that the perpetrator intends to injure, intimidate, or harass that person. Stalking also includes instances where the perpetrator knows or reasonably should know that the person is frightened, intimidated, or harassed, even if the perpetrator lacks such an intent.
- **Retaliation.** Harming, threatening, intimidating, coercing, or taking adverse action of any kind against a person because such person reported a violation of this code or college policy, provided information

about a reported violation, or participated as a witness or in any other capacity in a college investigation or disciplinary proceeding.

## If a Crime of Sexual Assault, Domestic Violence, Dating Violence, & Stalking Should Occur

Sexual misconduct is a general term used by Bellevue College that includes policy violations involving such things as sex and gender-based harassment, sexual violence and relationship violence. The College takes these matters seriously and has policies and processes to assist those impacted.

If you are the victim of sexual misconduct, gender-based violence, sexual assault, stalking, dating violence or domestic violence, the following suggestions may be helpful:

- Go to a safe place and speak with someone you trust. If there is an imminent threat or if you are in danger, call 911.
- Contact a victim's advocate for confidential support and assistance. Two local agencies are DAWN at dawnrising.org or at 425-656-7867 and King County Sexual Assault Resource Center at [www.kcsarc.org](http://www.kcsarc.org) or at 888-998-6423. Other local resources can be found at <https://www.bellevuecollege.edu/gbvprevention/resources/>.
- If you are on campus during regular business hours, you may access BC Counseling Center in the U building, by phone at 425-564-5747, or online at [www.bellevuecollege.edu/counseling/](http://www.bellevuecollege.edu/counseling/).
- For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. Health services, when accessed in time, can provide critical, time sensitive interventions for sexual assault/ rape, such as emergency contraception to prevent pregnancy (within 120 hours) and Post –Exposure Prophylaxis (PEP) medication to prevent HIV infection (within 72 hours of possible exposure). The nearest hospital to the College offering SANE (Sexual Assault Nurse Examiner) is Overlake Emergency and Trauma Center, 1035 116th AVE NE, Bellevue. WA 98004, 425-688-5759. Other area hospitals that offer a SANE exam can be found at <https://www.seattle.gov/police/need-help/sexual-assault/getting-medical-care>. Completing a SANE exam does not require someone to report to the police.
- Preserving evidence can be critical for proving a reported criminal offence occurred or may be helpful in obtaining a protection order.
  - To preserve evidence, it is recommended that 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, and evidence may still be recoverable.
  - If police are involved or will be involved, they will likely obtain evidence from the scene. It is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing, and any other pertinent articles that may be used for 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, photograph or have them photographed, with a date stamp on the photo. Photograph any changes that occur.
- 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.
- Document any details (e.g., physical description, names, license plate number, car description, etc.) that you recall. If you have time and the ability, write notes to remind you of details.
- While the College does not issue legally binding protection orders, an on-campus No Contact Directive can be implemented. If you obtain a court order of protection (e.g., domestic violence, anti-harassment, sexual assault protection order), please notify the BC Public Safety Department or the campus Title IX Coordinator. If you would like assistance with the process of filing a protection order, the Title IX Coordinator can connect you with an advocate and assist with navigating necessary steps needed for enforcement on campus.

Student and employees can contact the Title IX Office for assistance with College concerns and protective measures. The College is obligated to comply with reasonable requests for working, living and/or academic changes following a reported sexual offense, regardless of whether the victim files a report with law enforcement.

Title IX will also facilitate connections with external advocacy agencies (to include support with visa and/or immigration status) and law enforcement if requested. Other supportive measures may include such things as reasonable academic supports or modifications, changes to living arrangements, safety escorts, on-campus no contact directives, counseling services access, workplace modifications, transportation, and other supports and resources. Title IX is responsible for determining interim, supportive, and protective measures. Any measures impacting employment or contractual obligations will be coordinated with Human Resources.

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

While employees are required to report to Title IX when they learn an incident has occurred or is impacting someone on campus, students are not required to make such a report. However, the College encourages all members of the campus community who believe they are victim of any crime including domestic violence, dating violence, sexual assault or stalking to immediately report the incident so that resources and support services can be accessed.

The following are reporting options for circumstances where someone is impacted by sexual misconduct, sex or gender-based harassment, relationship violence including dating and domestic violence, stalking, and/or sexual assault. Public Safety will report all incidents of sexual assault to the college's Title IX Office.

Upon receipt of a report, the Title IX Office will send written notification to the student or employee regarding accessing options and assistance, both on- and off-campus as well as referral information for area support services. External advocacy agencies can assist with legal advocates, visa and immigration assistance, counseling, and a variety of other support services not available on campus.

### On-Campus Reporting Options

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Online Reporting: [www.bellevuecollege.edu/reportconcerns](http://www.bellevuecollege.edu/reportconcerns)

Email or in-person:

Title IX Office, RM C227

Rachel Wellman Title IX Officer,

[rachel.wellman@bellevuecollege.edu](mailto:rachel.wellman@bellevuecollege.edu)

Call or text: 425-389-5497

Jill Powell-Szep, Title IX Coordinator

[jill.powell@bellevuecollege.edu](mailto:jill.powell@bellevuecollege.edu)

Call or text: 425-389-5520

Human Resources, RM B126

Frances Dujon-Reynolds, VP of Human Resources,

[frances.dujon@bellevuecollege.edu](mailto:frances.dujon@bellevuecollege.edu)

Confidential reporting (see section on Confidential Reporting and Privacy)

Counseling Center, U Building,

(425) 564-5747

[www.bellevuecollege.edu/counseling/about](http://www.bellevuecollege.edu/counseling/about)

Anonymous (may limit the College's ability to respond):

[www.bellevuecollege.edu/reportconcerns](http://www.bellevuecollege.edu/reportconcerns)

### Off-Campus Reporting Options

Bellevue Police Department

450 110th Ave NE

Bellevue, WA 98004

(425) 577-5656

[www.ci.bellevue.wa.us/police.htm](http://www.ci.bellevue.wa.us/police.htm)

Equal Employment Opportunity Commission

909 First Avenue, Suite 400

Seattle, WA 98104-1061

[www.eeoc.gov](http://www.eeoc.gov)

Washington State Human Rights Commission

1511 Third Avenue, Suite 921

Seattle, WA 98101

[www.hum.wa.gov](http://www.hum.wa.gov)

Office for Civil Rights

U.S. Department of Education

915 Second Avenue

Seattle, WA 98171-1099

[www.ed.gov](http://www.ed.gov)

While immediate reporting to the police is an important factor in successful investigation and prosecution of domestic violence, dating violence, sexual assault and stalking cases, it is the victim's decision whether they want to report to campus authorities or file a report with law enforcement. Victims have the right to

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decline to notifying law enforcement. Should a victim want to notify law enforcement, the Title IX Office or Public Safety can assist with that process. Please see the Mandatory Reporting section for exceptions.

## Confidential Reporting and Privacy

To make informed choices, all parties should be aware of confidentiality and privacy issues, as well as institutional mandatory reporting requirements.

Bellevue College will seek to protect the privacy of both the impacted and responding parties, consistent with its legal obligation to investigate and take appropriate interim measures and disciplinary actions; and comply with federal law, state law, and college policy.

Although the college will attempt to honor a party's request for confidentiality as defined below, it cannot be guaranteed. The Title IX Coordinator / HR representative will determine how to handle requests for confidentiality.

If a complainant wants to remain confidential, they must request it in writing to the Title IX Coordinator who will determine whether the College can honor the request. Factors to be weighed during this determination may include, but are not limited to:

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

**Confidentiality** means information shared cannot be revealed to others without permission of the individual, unless required by law.

- Confidentiality under this request does not constitute privileged communication. A request for confidentiality is a request to take no action that would identify the impacted party.
- In cases where a request for confidentiality is granted, Bellevue College will offer available resources, supports, and remedies.

**Privacy** generally means that information related to a report of alleged sexual misconduct will only be shared on a "need to know" basis, in order to provide support for the individual and ensure safety for individuals and the community. Any supportive or protective measures provided to the parties are kept private as indicated in this section.

**Privileged Communication** is confidentiality that is protected by a professional license, (e.g. ordained clergy, mental health counselors and attorneys) unless given expressed permission or required by law.

- If reporting students wish that details of an incident be kept confidential under privileged communication, they should speak with a Bellevue College mental health counselor. Their service

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is free of charge. Counselors who are acting in their professional roles as a licensed counselor have no duty to report information to Bellevue College. Mandatory reporting requirements still apply in accordance with applicable law and standards of licensed professional practice.

## Mandatory Reporting

All BC employees are required to report child abuse and neglect as described in BC Mandatory Reporting of Child Abuse policy 1470 and RCW 26.44.030. As a result, confidentiality cannot be guaranteed in sexual misconduct incidents involving minors.

## Resolution through an external agency

Individuals may submit allegations of discrimination, harassment, or retaliation based on membership in a protected class with the following state or federal agencies within the time periods prescribed by those agencies.

Equal Employment  
Opportunity Commission  
909 First Ave, Ste.400  
Seattle, WA 98104-1061  
[www.eeoc.gov](http://www.eeoc.gov)

Washington State Human  
Rights Commission  
1511 Third Ave., Ste. 921  
Seattle, WA 98101  
[www.hum.wa.gov](http://www.hum.wa.gov)

Office for Civil Rights  
U.S. Dept. of Education  
915 Second Avenue  
Seattle, WA 98171-1099  
[www.ed.gov](http://www.ed.gov)

## Title IX Process and Definitions

BC Policy series 1440, 1447, 1445, and 2050 prohibits any form of sexual harassment including sexual assault, domestic violence, dating violence, and stalking.

1440 Discrimination, Harassment and Retaliation

Original Date: 7/22/2008 \* Last Revision Effective: 3/13/24

Policy Contact: Vice President of Community Care & Institutional Transformation, Vice President of Human Resources

### Policy

It is the policy of Bellevue College to provide a working and learning environment free from discrimination against and harassment of individuals based on their membership in a protected class, and to investigate and resolve reported violations in an equitable and timely fashion. Retaliation against individuals who file reports or otherwise participate in investigative and disciplinary procedures designed to address violations of this policy is also prohibited.

This policy applies to discriminatory, harassing, or retaliatory conduct whether physical, verbal, or non-verbal, occurring:

Anywhere on the college's campuses (including vehicles);

At any college-sponsored event or activity, whether on- or off-campus (such as social functions, athletic events, celebrations, or conferences);

Off-campus, when such conduct adversely affects a member or members of the college community or the pursuit of the college's objectives; or

Through the college's computer, telephone, or other electronic communication systems.

This policy does not alter or modify laws, regulations, or college policies applicable to the legitimate exercise of academic freedom or constitutionally-protected rights. General complaints unrelated to discrimination or harassment based on membership in a protected class or retaliation are addressed in Policy 1450.

### Prohibited Conduct

This policy prohibits discrimination and harassment based on an individual's membership in the following classes that are subject to protection under federal, state, or local law:

- Presence of any sensory, mental, or physical disability
- Use of a trained dog guide or service animal
- HIV/AIDS and hepatitis C status
- Race/color
- Creed/religion
- Sex (including pregnancy)
- Marital status
- Age
- Sexual orientation, including gender identity or expression
- Genetic information

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- Honorably discharged veteran or military status
- Parties impacted by sexual misconduct
- Membership in any other group protected by federal, state, or local law

Retaliation against any individual who reports, files a claim, or participates in an investigation or disciplinary proceeding involving alleged violations of this policy is also prohibited.

**Consequences of Policy Violations.** Reports of violations of this policy by employees, students, or visitors will be reviewed according to the procedures described in 1440P to determine what interim measures, investigations, remediation, or other actions are required or recommended.

Students and employees found to have violated this policy may be subject to corrective or disciplinary action, up to and including dismissal from the college or dismissal from employment. Disciplinary action against students violating this policy will be handled by the student conduct officer according to the student conduct code (Policy 2050). Disciplinary action against employees violating this policy will be handed by the responding party's supervisor or appropriate college official according to college policy, collective bargaining agreements, and state and federal law.

In some instances, employees who violate state or federal anti-discrimination laws may be subject to personal liability in a civil lawsuit. The college, through the WA State Attorney General's office, is authorized to defend and indemnify a college employee only when the employee acts in good faith and within the scope of their official duties.

## **Responsibilities**

### **All employees are responsible for:**

- Refraining from conduct that is discriminatory, harassing, or retaliatory;
- Taking discrimination, harassment, and retaliation concerns seriously;
- Reporting suspected discriminatory, harassing, or retaliatory conduct to the appropriate authorities in accordance with procedure 1440P; and
- Cooperating with any resulting investigation and/or disciplinary proceeding.
- Employees who are licensed mental health counselors wherein confidentiality is part of their licensure, while in the role of counselor, are exempt from reporting.

### **Administrators, supervisors, and faculty members are responsible for:**

- Providing a working and learning environment free from discrimination, harassment, and retaliation;
- Monitoring the work and learning environment for potential discrimination, harassment, and retaliation;
- Collaborating, when appropriate, with the human resources and Title IX offices to address inappropriate behavior of co-workers, students, and non-employees;
- Collaborating, when appropriate, with the human resources and Title IX offices to follow-up on situations that have been addressed through the reporting procedure; and
- Monitoring for potential recurrences of discrimination, harassment, or retaliation.

## 1445 Title IX Sexual Harassment

Original Date: 3/13/24 (effective through 07.30.24)

Policy Contact: Vice President, Community Care & Institutional Transformation

### Policy

Bellevue College complies with U.S. Office of Civil Rights, Department of Education, 34 CFR Part 106 Title IX regulations. This policy applies to the specific definition of sexual harassment as amended in the regulations, effective August 14, 2020. This policy does not prevent the college from pursuing action under other college policies, employment contracts or handbooks, or related federal or state law.

This policy applies to sexual harassment, described below in the prohibited conduct section, that has occurred:

In the United States; and

During a college educational program or activity

This policy does not alter or modify laws, regulations, or college policies applicable to the legitimate exercise of academic freedom or constitutionally protected rights. General complaints unrelated to discrimination or harassment based on membership in a protected class or retaliation are addressed in BC Policy 1450.

### Prohibited Conduct

This policy prohibits act(s) of sexual harassment including attempts to commit, or aid, abet, incite, encourage, or assist another person to commit said act(s).

For purposes of this policy, sexual harassment encompasses the following conduct:

**Quid pro quo harassment.** A college employee conditioning the provision of an aid, benefit, or service of the college on an individual's participation in unwelcome sexual conduct.

**Hostile environment.** Unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the college's educational programs or activities, or employment.

**Sexual assault.** Sexual assault includes the following conduct:

**Rape** – (Includes attempted rape, excludes statutory rape) The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

**Sodomy** – Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

**Sexual Assault with an Object** – To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

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

**Incest** – Nonforcible sexual intercourse between persons who are related to each other within the degrees

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wherein marriage is prohibited by law.

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

**Domestic violence.** Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the State of Washington, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Washington, RCW 26.50.010.

**Dating violence.** Violence committed by a person: a. who is or has been in a social relationship of a romantic or intimate nature with the complainant b. where the existence of such a relationship shall be determined based on consideration of the following factors:

- The length of the relationship.
- The type of relationship.
- The frequency of interaction between the persons involved in the relationship.

**Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- fear for their safety or the safety of others; or
- suffer substantial emotional distress

**Retaliation.** Retaliation includes harming, threatening, intimidating, coercing, or taking adverse action of any kind against a person because such person reported a violation of this code or college policy, provided information about a reported violation, or participated as a witness or in other capacity in a college investigation or disciplinary proceeding. Retaliation by, for or against any participant (including but not limited to complainant, respondent, witness, Title IX officer or designee, or investigator) is expressly prohibited. Retaliatory action of any kind taken against an individual seeking redress under the applicable procedures or against any participant in subsequent processes is conduct subject to discipline.

## Policy Violations

Reports of violations of this policy by employees, students, or visitors will be reviewed according to the procedures described in 1445P and 1445P2 to determine what interim measures, investigations, remediation, or other actions are required or recommended.

Students and employees found to have violated this policy may be subject to corrective or disciplinary action, up to and including dismissal from the college or dismissal from employment. Reports against students will be referred to the student conduct manager for disciplinary proceedings pursuant to the student conduct code (WAC 132H-126, Policy 2050). Reports against employees will be referred for disciplinary proceedings pursuant to the Title IX employee discipline procedures.

## Responsibilities

All employees and students are responsible for:

- Refraining from conduct that is discriminatory, harassing, or retaliatory;
- Taking discrimination, harassment, and retaliation concerns seriously;
- Reporting suspected discriminatory, harassing, or retaliatory conduct to the appropriate

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- authorities in accordance with procedures 1440P, 1445P, 1445P2; and
- Cooperating with any resulting investigation and/or disciplinary proceeding.
- Employees who are licensed mental health counselors wherein confidentiality is part of their licensure, while in the role of counselor, are exempt from reporting.

Administrators, supervisors, and faculty members are responsible for:

- Providing a working and learning environment free from discrimination, harassment, and retaliation;
- Monitoring the work and learning environment for potential discrimination, harassment, and retaliation;
- Collaborating, when appropriate, with the human resources and Title IX offices to follow-up on situations that have been addressed through the reporting procedures; and
- Monitoring for potential recurrences of discrimination, harassment, or retaliation.

### **1447 Sex Discrimination**

Original Date: 7/31/2024 (Temporary Cabinet approval expires 01/30/2025)

Policy Contact: President

#### **Policy**

Bellevue College is committed to providing an educational and employment environment that is free from sex discrimination and sex-based harassment, including retaliation because of making a report or participating in related protected activities.

Bellevue College complies with U.S. Office of Civil Rights, Department of Education, [34 CFR Part 106 Title IX](#) regulations. This Policy applies to all faculty, employees, students, and other individuals participating in or attempting to participate in the College's program or activities, including education and employment. This policy does not prevent the college from pursuing action under other college policies, Student Conduct Code, employment contracts or handbooks, or related federal or state law.

This policy applies to sex discrimination and sex-based harassment, described below in the prohibited conduct section, that occur on or after August 1, 2024. For reported incidents of sex discrimination or sex-based harassment occurring prior to August 1, 2024, the following policies and procedures apply: [Policy 1445](#), [Procedure 1445P](#), [Procedure 1445P2](#), and [WAC 132H-126](#)-400 to 480.

This policy does not alter or modify laws, regulations, or college policies applicable to the legitimate exercise of academic freedom or constitutionally protected rights. Discrimination complaints based on membership in a protected class are addressed in [Policy 1440](#). General complaints unrelated to discrimination or harassment based on membership in a protected class or retaliation are addressed in [Policy 1450](#).

#### **Prohibited Conduct**

This policy prohibits act(s) of sex discrimination and sex-based harassment. It may be applied to incidents, to patterns, and/or to the institutional culture/climate, all of which may be addressed in accordance with this

policy. It includes attempts to commit, or aid, abet, incite, encourage, or assist another person to commit said act(s).

**Sex Discrimination** includes Sex-based Harassment, occurs when a Respondent causes more than *de minimis* (insignificant) harm to an individual by treating them differently from a similarly situated individual based on:

- sex stereotypes;
- sex characteristics;
- pregnancy or related conditions;
- sexual orientation; and
- gender identity.

Conduct that prevents an individual from participating in an education program or activity consistent with the person's gender identity subjects a person to more than *de minimis* harm on the basis of sex and is prohibited.

**Sex-based harassment** is a type of sex discrimination that includes:

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

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

- The degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;
- The type, frequency, and duration of the conduct;
- The parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each Party that may be Relevant to evaluating the effects of the conduct;
- The location of the conduct and the context in which the conduct occurred; and
- Other sex-based harassment in the recipient's education program or activity.

**Sexual violence.** Sexual violence includes the following conduct:

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

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

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

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

**Domestic violence.** Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, coercive control, damage or destruction of personal property, stalking, or any other conduct prohibited under RCW 10.99.020, committed by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Washington, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Washington, RCW 26.50.010.

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

- The length of the relationship;
- The type of relationship; and
- The frequency of interaction between the persons involved in the relationship.

**Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (i) fear for their safety or the safety of others; or (ii) suffer substantial emotional distress.

**Retaliation** means intimidation, threats, coercion, or discrimination against any person by the college, a student, or an employee or other person authorized by the college to provide aid, benefit, or service under the college's education program or activity, for the purpose of interfering with any right or privilege secured by college policies and procedures prohibiting sex discrimination, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part, including in an informal resolution process, in these investigation procedures, and any disciplinary proceeding for sex discrimination. Nothing in this definition precludes the college from requiring an employee to provide aid, benefit, or service under the college's education program or activity to participate as a witness in, or otherwise assist with, an investigation, proceeding, or hearing.

## **Policy Violations**

Reported concerns will be reviewed according to the procedures described in 1447P, 1447P2, 1447P3 to determine what supportive measures, investigations, resolution options, remediation, or other actions are required or recommended.

Students and employees found to have violated this policy may be subject to corrective or disciplinary action, up to and including dismissal from the college or dismissal from employment. Any disciplinary actions initiated following review, and investigation will be handled in accordance with the student conduct code, WAC 132H-126, policy 2050, for students; and policy 1447P2, Employee sex discrimination disciplinary procedure, for employees, and if applicable, visiting staff, contractors, or third parties.

## **Contacts**

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Any employee, student, applicant, or visitor who believes that they have been the subject of sex discrimination can file a report online at [www.bellevuecollege.edu/about-us/report-concerns](http://www.bellevuecollege.edu/about-us/report-concerns) or contact one of the following individuals. If the complaint is against one of the following, the matter should be reported to the president's office for referral to an alternate designee.

Rachel Wellman, Compliance and Title IX Coordinator

Office: C227

Phone: 425-564-2641

Email: [rachel.wellman@bellevuecollege.edu](mailto:rachel.wellman@bellevuecollege.edu)

Jill Powell-Szep, Deputy Title IX Coordinator

Office: C227

Phone: 425-564-2704

Email: [jill.powell@bellevuecollege.edu](mailto:jill.powell@bellevuecollege.edu)

Resources

### On-Campus

**Office of Compliance and Title IX:** Bellevue College campus office responsible for responding to sex discrimination and sex-based harassment including determining and implementing supportive measures and remedies, providing available alternate resolution options, and referring to external agencies.

425-564-2704

[titleix@bellevuecollege.edu](mailto:titleix@bellevuecollege.edu)

[www.bellevuecollege.edu/about-us/values/titleix](http://www.bellevuecollege.edu/about-us/values/titleix)

Office C227

**Human Resources Office** is responsible for assisting employees with flexible work arrangements, employee relations matters, leave and benefits, and other conditions of employment.

425-564-2274

[hr@bellevuecollege.edu](mailto:hr@bellevuecollege.edu)

[www.bellevuecollege.edu/hr](http://www.bellevuecollege.edu/hr)

Office B125

**Counseling Center (for students):** Students can access Bellevue College Counselors who are trained and/or licensed mental health professionals. Bellevue College Counselors maintain confidentiality as required by their license. Center at

425-564-5747

[www.bellevuecollege.edu/counseling](http://www.bellevuecollege.edu/counseling)

Office U201

**Employee Assistance Program:** Employees can access counseling and resources.

877-313-4455

[des.wa.gov/services/employee-assistance-program](http://des.wa.gov/services/employee-assistance-program)

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**Public Safety:** Available 24 hours a day, 7 days a week and can provide an escort to and from locations on campus.

425-466-9365

[Publicsafety@bellevuecollege.edu](mailto:Publicsafety@bellevuecollege.edu)

[www.bellevuecollege.edu/publicsafety](http://www.bellevuecollege.edu/publicsafety)

Office B132

## Off-Campus

**Domestic Abuse Women's Network (DAWN):** Domestic Violence services, including 24-hour advocacy and support line, emergency shelter, community advocacy, legal advocacy, therapy and groups.

(425) 656-7867

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

**LifeWire:** Domestic Violence services in Bellevue, including a 24-hour helpline, housing/rent assistance, shelter, community and legal advocacy, therapy, and support groups.

(425) 746-1940 or (800) 827-8840

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

**King County Sexual Assault Resource Center (KCSARC):** has a 24-hour helpline, and they provide crisis response, community and legal advocacy, therapy, and family services in both English and Spanish.

(425) 226.5062 or (888) 998-6423

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

**Population specific:** King County has a variety of population specific resources, some of which can be found at: [www.bellevuecollege.edu/gbvprevention/resources/](http://www.bellevuecollege.edu/gbvprevention/resources/).

## Responsibilities

All employees are responsible for:

- Refraining from conduct that is discriminatory, harassing, or retaliatory;
- Taking discrimination, harassment, and retaliation concerns seriously;
- Reporting suspected discriminatory, harassing, or retaliatory conduct to the appropriate authorities in accordance with procedures 1440P and 1447P;
- Upon learning of a student's pregnancy or related condition, providing the student with the Title IX coordinator's information as well as information about available assistance, and
- Cooperating with any resulting investigation and/or disciplinary proceeding.
- Employees who are licensed mental health counselors wherein confidentiality is part of their licensure, while in the role of counselor, are exempt from reporting.

Administrators, supervisors, and faculty members are responsible for:

- Providing a working and learning environment free from discrimination, harassment, and retaliation;  
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- Monitoring the work and learning environment for potential discrimination, harassment, and retaliation;
- Collaborating, when appropriate, with the human resources and Title IX offices to follow-up on situations that have been addressed through the reporting procedures; and
- Monitoring for potential recurrences of discrimination, harassment, or retaliation.

## **Employees**

The policies ensures that employees will have the right to supportive measures that may include such things as workplace modifications, assistance with reporting to law enforcement and seeking court-issued protection orders, on-campus no-contact directives, and other safety measures. Supportive measures are kept as private as possible and only disclosed as necessary for implementation and with the permission of the involved party. The policy also provides for a prompt and impartial process, conducted by those with relevant training. Results of disciplinary proceedings will be communicated to both parties, in writing, according to the policy. Employees retain the right to be accompanied by an advisor of their choice as outlined in the policy. Decision-making regarding employee disciplinary processes, actions up to and including termination, will follow applicable college policies, collective bargaining agreements, and federal, state, and local laws.

1445P2 Supplemental Title IX Employee Disciplinary Hearing (Procedures)

Original Date: 9/28/21 \* Last Revision Effective: 3/13/2024

Policy Contact: Vice President of Human Resources; Vice President, Community Care & Institutional Transformation

## **Purpose**

The following procedures are established to meet the requirements for implementing policy 1445 – Title IX Sexual Harassment.

## **Procedures**

### **Order of Precedence**

This supplemental employee disciplinary procedure applies to allegations of sexual harassment subject to Title IX jurisdiction pursuant to regulations promulgated by the U.S. Department of Education. See 34 C.F.R. § 106. Disciplinary proceedings against an employee Responding Party reported to have engaged in sexual harassment in violation of Title IX shall be governed by Bellevue College’s administrative hearing practices and procedures, WAC Chapter 132H-108, and this supplemental hearing procedure. To the extent the supplemental hearing procedure conflicts with WAC 132H-108, and/or provisions set forth in employment contracts, collective bargaining agreements, employee handbooks, and other college employment policies and procedures, these supplemental hearing procedures will take precedence.

Notwithstanding the foregoing, if the Responding Party is a tenured or probationary faculty member and the Vice President of Human Resources determines that the allegations in the investigation, if true, would warrant the Responding Party’s dismissal from the college, the Vice President of Human Resources will refer the matter to the tenure dismissal committee for a hearing pursuant to RCW 28B.50.863 and applicable procedures set forth in the faculty union Collective Bargaining Agreement (CBA). To the extent the tenure dismissal procedures are inconsistent or conflict with this procedure, this procedure will prevail. At the end of the hearing, the tenure dismissal committee will issue a recommendation consistent with the provisions set forth in the section on Appeals. The Impacted Party shall have the same right to appear and participate in the

proceedings as the Responding Party, including the right to present their position on the recommendation to the president before final action is taken.

### **Initiation of Discipline**

Upon receiving the Title IX final investigation report from the Title IX Officer/Coordinator, the Employee Disciplinary Officer will independently review the report to determine whether there are sufficient grounds to pursue a disciplinary action against the Responding Party for engaging in prohibited conduct under Title IX.

Service of the disciplinary notice or any other document required to be served under this supplemental procedure may be done personally or by first class, registered, or certified mail, or by electronic mail to the party's college issued email address.

If the Employee Disciplinary Officer determines that there are sufficient grounds to proceed under these supplemental procedures, the hearing facilitator will initiate a Title IX disciplinary proceeding by filing a written disciplinary notice with the Vice President of Human Resources (or designee) and by serving the notice to the Responding Party and the Impacted Party, and their respective advisors. The notice must:

- Set forth the basis for Title IX jurisdiction;
- Identify the reported Title IX violation(s);
- Set forth the facts underlying the reported behavior(s);
- Identify the range of possible sanctions that may be imposed if the Responding Party is found responsible for the reported violation(s);
- Explain that each party is entitled to be accompanied by an advisor of their own choosing during the hearing and that:
  - Advisors will be responsible for questioning all witnesses on the party's behalf;
  - An advisor may be an attorney and/or, if the party is a represented employee, a union representative;
  - A represented employee who chooses an advisor who is not a union representative must submit a signed waiver of union representation that includes consent from the union;
  - The college will appoint the party an advisor of the college's choosing at no cost to the party, if the party fails to choose an advisor; and
  - Explain that if a party fails to appear at the hearing, a decision of responsibility may be made in the party's absence.

### **Pre-hearing Procedure**

Upon receiving the disciplinary notice, the hearing facilitator will serve a hearing notice to all parties. The hearing date may not be scheduled less than ten (10) days after the final investigation report is provided to the parties. The college may, at its discretion, contract with a qualified person to act as the hearing facilitator.

In preparation for the hearing, the parties will have equal access to all relevant evidence gathered by the investigator during the investigation, regardless of whether the college intends to offer the evidence at the hearing, with the exception of privileged evidence wherein the privilege has not been waived.

### **Advisors**

A party is entitled to be accompanied by an advisor during all aspects of the disciplinary procedure.

Parties are required to have an advisor at the Title IX hearing. Only an advisor is permitted to conduct cross examinations during the Title IX hearing. (A party is not permitted to conduct cross examination.) If a party

does not choose an advisor, the Vice President of Human Resources (or designee) will appoint an advisor of the college's choosing on the party's behalf at no expense to the party.

Parties may choose their own advisor, at the party's own expense. The advisor may be an attorney or, if the party is a represented employee, a union representative.

If the advisor is an attorney, the advisor must file a notice of appearance with the hearing officer with copies to all parties and the Vice President of Human Resources at least five (5) days before the hearing. If a notice of appearance is not filed within this timeframe, the party will be deemed to have waived their right to have an attorney as an advisor.

If a party is a represented employee who chooses not to use a union-provided advisor, the party must provide the Vice President of Human Resources (or designee) with a signed waiver of union representation, including written consent from the union.

## **Rights of Parties**

The provisions of this supplemental procedure shall apply to all parties.

The college bears the burden of offering and presenting sufficient testimony and evidence to establish that the Responding Party is responsible for a Title IX violation by a preponderance of the evidence.

The Responding Party will be presumed not responsible for the reported misconduct unless or until such time as the disciplinary procedure has been finally resolved.

During the hearing, each party has a right to and is required to be represented by an advisor. The parties are entitled to an advisor of their own choosing, and the advisor may be an attorney or, if the Responding Party holds a represented position, a union representative.

## **Evidence**

The introduction and consideration of evidence during the hearing is subject to the following procedures and restrictions:

**Question relevance:** Prior to any question being asked, the hearing officer shall review all questions for relevance and shall explain on the record their reasons for excluding any question based on lack of relevance.

**Relevance** means that information elicited by the question makes a fact in dispute more or less likely to be true.

Questions or evidence about an Impacted Party's sexual predisposition or prior sexual behavior are not relevant and must be excluded, unless such question or evidence:

Is asked or offered to prove someone other than the Responding Party committed the reported misconduct; or

Concerns specific incidents of prior sexual behavior between the Impacted Party and the Responding Party, which are asked or offered on the issue of consent.

**No negative inference:** The decision-maker may not make an inference regarding responsibility solely on a witness or party's absence from the hearing or refusal to answer questions.

**Privileged evidence:** The decision-maker shall not consider legally privileged information unless the holder has effectively waived the privilege. Privileged information includes, but is not limited to, information protected by the following:

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- Spousal/domestic partner privilege;
- Attorney-Client and attorney work product privileges;
- Privileges applicable to members of the clergy and priests;
- Privileges applicable to medical providers, mental health therapists, and counsellors;
- Privileges applicable to sexual assault and domestic violence advocates; and
- Other legal privileges identified in RCW 5.60.060

### **Initial Order**

The hearing facilitator will be responsible for drafting an initial order that:

- Identifies the allegations of sexual harassment;
- Describes the grievance and disciplinary procedures, starting with filing of the formal complaint through the determination of responsibility, including notices to parties, interviews with witnesses and parties, site visits, methods used to gather evidence, and hearings held;
- Makes findings of fact supporting the determination of responsibility;
- Reaches conclusions as to whether the facts establish whether the Responding Party is responsible for engaging in sexual harassment in violation of Title IX;
- Contains a statement of, and rationale for, the committee's determination of responsibility for each allegation;
- Describes any disciplinary sanction or conditions imposed against the Responding Party, if any;
- Describes to what extent, if any, Impacted Party is entitled to remedies designed to restore or preserve Impacted Party's equal access to the college's education programs or activities; and
- Describes the process for appealing the initial order to the college president.
- The hearing facilitator will serve the initial order on the parties simultaneously.

### **Appeals**

The parties have the right to appeal from the initial order and/or from a Title IX dismissal, in whole or part, of a formal complaint.

Appeals are limited to the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- The discovery of new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made and that could affect the outcome of the matter; and
- The Title IX Officer/Coordinator, investigator, decision-maker(s), or hearing facilitator had a conflict of interest or bias for or against Impacted Party(s) or Responding Party(s) generally or for or against the specific Impacted Party or Responding Party and the bias or conflict affected the outcome of the matter.

Any party may file an appeal within 21 days of the service of the initial order or notice of dismissal. The appeal must be filed in writing or electronically with the appeal decision-maker (AD) specified in the initial order.

The AD will determine whether the grounds for appeal have merit and is timely, provide the rationale for this conclusion, and provide notification in writing to the parties.

The AD will notify the Title IX Officer/Coordinator when an appeal is received. The AD will also notify the investigator, original decision-maker and/or hearing facilitator if they are accused of bias, conflict of interest or procedural irregularity.

If a party files an appeal after the above time period, the AD will determine if the appeal may be accepted for extenuating circumstances.

Within seven days after receiving the notice of appeal from the AD, the other party may submit a response to the appeal. Similarly, the Title IX Officer/Coordinator, investigator, and/or the decision-maker(s) or hearing facilitator may submit a response if the person filing the appeal has asserted that an impermissible source of bias or conflict of interest or if a procedural irregularity had an impact on the decision.

The AD will serve all responses to the appealing party and all other involved persons for review and comment. The appealing party may submit comments in reply to the AD within three days after receiving the responses.

The AD will determine whether the grounds for appeal have merit, provide the rationale for this conclusion, and state whether the decision, dismissal, and/or any disciplinary sanctions and conditions imposed in the initial order are affirmed, vacated, or amended, and, if amended, set forth the new disciplinary sanctions and conditions.

The AD shall serve the final decision on the parties simultaneously.

All decisions reached through this process are final. No decisions or recommendations arising from this disciplinary procedure will be subject to grievance pursuant to any collective bargaining agreement.

## Definitions

**Appeal Officer (AO)** is the college president, or designee identified to review and make a determination on appeals for determination of responsibility, and dismissal of a formal complaint or any allegations therein. The AD cannot be the same person as the decisionmaker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Officer/Coordinator.

**Decision-Maker** means the person or panel who hears evidence, determines relevance, and determines whether this Policy has been violated and/or assigns sanctions.

**Hearing Facilitator** refers to the person who facilitates a hearing in the formal complaint process and who determines whether evidence is relevant and whether a party or witness must answer questions asked on cross examination. The hearing facilitator may be, but need not be, the same person as the decision-maker. The college may, at its discretion, contract with a qualified person to serve as a hearing facilitator.

**Employee Disciplinary Officer** is a college administrator designated by the Vice President of Human Resources (or designee) to be responsible for implementing and enforcing these supplemental Title IX employee disciplinary hearing procedures.

**Service** is the process by which a document is officially delivered to a party.

Unless otherwise provided, service upon a party shall be accomplished by either:

- Hand delivering the document to the party; or
- Sending the document by certified or first-class mail to the party's last known address.
- Email delivery.

Service on a party is deemed complete on the date the document is hand-delivered to the party or, the date the document is emailed and/or deposited in the mail.

## 1447P2 Employee Sex Discrimination Discipline (procedures)

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Original Date: 7/31/2024 (Temporary Cabinet approval expires 01/30/2025)

Contact: President

## Purpose

The following procedures are established to meet the requirements for implementing policy 1447 – Sex Discrimination.

## Procedures

### Order of precedence

This employee discipline procedure applies to reports of sex discrimination and sex-based harassment subject to regulations promulgated under Title IX by the United States Department of Education. [See 34 C.F.R. § 106](#). Disciplinary proceedings against an employee respondent reported to have engaged in sex discrimination or sex-based harassment shall be governed by the college's administrative hearing practices and procedures, chapter WAC 132H-108 and this disciplinary procedure. To the extent this disciplinary procedure conflicts with WAC 132H-108, and/or provisions set forth in employment contracts, collective bargaining agreements, employee handbooks, and other college employment policies and procedures, this disciplinary procedure will take precedence.

Nevertheless, if respondent is a tenured or probationary faculty member and the vice president of human resources or designee determines that the facts found in the investigation report would warrant respondent's dismissal from the college if proven at hearing, the vice president of human resources or designee will refer the matter to the tenure dismissal committee for a hearing pursuant to [RCW 28B.50.863](#) and applicable procedures set forth in the faculty union Collective Bargaining Agreement (CBA). To the extent CBA's Tenure Dismissal Committee procedures are inconsistent or conflict with sections of this disciplinary procedure, the disciplinary procedure sections will prevail.

## Definitions

For purposes of this procedure, the following definitions apply:

**Appeal officer** is the college president, or designee identified to review and make a determination on appeals for determination on an appeal request. The appeal officer shall not participate in any case in which they are a complainant or witness, or in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory, investigatory, or decision-making capacity.

**Decision maker** is the provost or designee, who presides over a hearing and makes the final determination of responsibility. The decision maker shall not participate in any case in which they are a complainant or witness, or in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory or investigatory capacity.

**Disciplinary sanction** means consequences imposed on a respondent following a determination that the respondent violated the college's policy prohibiting sex discrimination.

**Disciplinary officer** is the vice president of human resources (or designee) in cases where the respondent is an employee and the student conduct officer (or designee) in cases where the respondent is a student. The disciplinary officer is responsible for determining policy violation and implementing and enforcing this procedure. The disciplinary officer shall not participate in any case in which they are a complainant or witness,

or in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory or investigatory capacity.

**Educational program, or program and activities** means all operations of the college.

**Preponderance of the evidence** means that something is “more likely than not.” This is the standard used to determine whether policy 1447 has been violated.

**Relevant** means related to the reports of sex discrimination under investigation. Questions are relevant when they seek evidence that may aid in showing whether the reported sex discrimination occurred, and evidence is relevant when it may aid a decision maker in determining whether the reported sex discrimination occurred.

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

**Service** is the process by which a document is officially delivered to a party. Service is deemed complete upon hand delivery of the document or upon the date the document is emailed. Unless otherwise provided, service upon a party shall be accomplished by:

- Hand delivery of the document to the party; or
- Sending the document by email to the party’s official college email.

**Supportive measures** means reasonably available, individualized, and appropriate, non-punitive and non-disciplinary measures offered by the college to the complainant or respondent without unreasonably burdening either party, and without fee or charge for purposes of:

Restoring or preserving that party’s access to the college’s educational program or activity, including measures that are designed to protect the safety of the parties or the college’s educational environment; or

Providing support during the college’s Investigation and disciplinary procedures, or during any informal resolution process.

Supportive measures may include, but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus safety escorts to and from locations on campus; increased security and monitoring of certain areas of campus; restriction on contact applied to one or more Parties; leave of absence; change in class, college employment, college housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment.

Supportive measures may be offered to other involved parties as determined by the office of compliance and Title IX staff.

**Title IX personnel** are the Title IX coordinator and designees; investigators; student conduct officers; disciplinary officers; and decision makers at both the hearing and appeal level, responsible for administering the college’s sex discrimination investigation and disciplinary procedures; facilitators of the Informal sex discrimination resolution process; and any other employees who are responsible for implementing the college’s sex discrimination resolution or sex discrimination disciplinary procedures for students or employees or have the authority to modify or terminate supportive measures.

**Title IX coordinator** is responsible for processing Title IX complaints and conducting or overseeing formal investigations and informal resolution processes under this resolution procedure.

## **Prohibited Conduct**

Conduct that prevents an individual from participating in an education program or activity consistent with the person's gender identity subjects a person to more than *de minimis* harm on the basis of sex and is prohibited. The college may impose disciplinary sanctions up to and including dismissal from the college against an employee who has been found responsible for committing, attempting to commit, aiding, abetting, inciting, encouraging, or assisting another person to commit or engage in acts of sex discrimination, which include sex-based harassment. For purposes of this procedure, the following conduct is prohibited:

**Sex discrimination.** Sex discrimination includes sex-based harassment and may occur when a Respondent causes more than *de minimis* (insignificant) harm to an individual by treating them differently from a similarly situated individual on the basis of:

- sex stereotypes;
- sex characteristics;
- pregnancy or related conditions;
- sexual orientation; or
- gender identity.

**Sex-based harassment** is a type of sex discrimination that includes:

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

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

- The degree to which the conduct affected the complainant's ability to access the college's education program or activity;
- The type, frequency, and duration of the conduct;
- The parties' ages, roles within the college's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
- The location of the conduct and the context in which the conduct occurred; and
- Other sex-based harassment in the recipient's education program or activity.

**Sexual violence.** Sexual violence includes the following conduct:

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

**Nonconsensual sexual contact (fondling).** Any actual or attempted sexual touching, however slight, with any object or body part, by a person upon another person that is without consent and/or by force. Sexual touching

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includes any bodily contact with the breasts, groin, mouth, or other bodily orifice of another individual, or any other bodily contact in a sexual manner.

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

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

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

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

- The length of the relationship;
- The type of relationship; and
- The frequency of interaction between the persons involved in the relationship.

**Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (i) fear for their safety or the safety of others; or (ii) suffer substantial emotional distress.

**Retaliation** means intimidation, threats, coercion, or discrimination against any person by the college, a student, or an employee or other person authorized by the college to provide aid, benefit, or service under the college's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in a sex discrimination investigation, proceeding, or hearing, including in an informal resolution process, in these investigation procedures, and any disciplinary proceeding for sex discrimination. Nothing in this definition prevents the college from requiring an employee to provide aid, benefit, or service under the college's education program or activity to participate as a witness in, or otherwise assist with, an investigation, proceeding, or hearing.

## **Jurisdiction**

This disciplinary procedure applies only if the reported misconduct:

- Meets the definition of sex discrimination, sex-based harassment, or retaliation as defined in this disciplinary procedure, including causing more than *de minimis* harm to the complainant;
- Occurred during a college educational program or activity or interferes with the complainant's ability to access or participate in the college's educational programs or activities.

## **Dismissal of Complaints**

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The vice president of human resources or designee, after reviewing the investigation report, or the decision maker, after receiving the Notice of Hearing determines the facts reported, even if proven, are not sufficient to support jurisdiction, must issue a notice of dismissal in whole or part to both parties and the Title IX Coordinator explaining why some or all of the claims have been dismissed.

The vice president of human resources or designee after reviewing the investigation report or the decision maker after receiving the Notice of Hearing may, but is not required to, dismiss the case if:

The Respondent is no longer employed by the college. The college's discretion to dismiss a sex-based harassment complaint lodged against a former employee may be limited by RCW 28B.112.070, which requires the college to complete investigations into reports of sexual misconduct by employees directed at students unless the student requests otherwise; or

The complainant has voluntarily withdrawn the complaint, and the Title IX coordinator has declined to initiate a complaint, and the college determines that any remaining conduct outside the withdrawn reports would not constitute sex discrimination, even if proven. If the complainant is a student and the case involves reports of sex-based harassment, the withdrawal must be presented by the complainant in writing before the college will act.

Dismissal does not prohibit the college from pursuing disciplinary action against a respondent based on reports that the respondent engaged in other misconduct prohibited by federal or state law, employment contracts or handbooks, or other college policies.

Both the complainant and the respondent may appeal the dismissal of a complaint pursuant the appeal process in the Appeals section of this procedure.

The notice of dismissal must be served on all parties and the Title IX coordinator and contain an explanation of:

- Why dismissal was necessary or desirable;
- The right to appeal the dismissal and a description of the procedure for appealing the dismissal; and
- If applicable, notice that the complaint is being referred to an appropriate disciplinary authority for proceedings outside the jurisdiction of this procedure.
- If the dismissal involves a report of sex-based harassment, the notice of dismissal will be served on the parties simultaneously.
- When a complaint is dismissed, Title IX coordinator will, at a minimum:
- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the reports, offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, to ensure that sex discrimination does not continue or recur within the college's education program or activity.

## **Rights of parties**

The provisions of this disciplinary procedure shall apply equally to the respondent and the complainant.

The college bears the burden of offering and presenting sufficient evidence to establish that the respondent is responsible for engaging in sex discrimination, sex-based harassment, or retaliation related to or arising from such reports by a preponderance of the evidence. A preponderance of the evidence means on a more-probable-than-not basis.

The respondent will be presumed not responsible until such time as the disciplinary process has been finally resolved.

### **Initiation of discipline**

Upon receipt, the disciplinary officer shall independently review the investigation report provided by the Title IX coordinator, and determine whether, by a preponderance of the evidence, there was a violation of the college's sex discrimination policy; and if so, what disciplinary sanction(s) and/or remedies will be recommended.

The disciplinary officer shall, within ten (10) business days of receiving the investigation report, serve respondent, complainant, and the Title IX coordinator with a written recommendation, which includes a description of the facts and conclusions supporting the recommendation, as well as a recommended sanction. The time for serving a written recommendation may be extended by the disciplinary officer for good cause.

The complainant or respondent shall have 21 calendar days from service of the written recommendation to either accept the written recommendation or request a hearing before the decision maker. The request may be verbal or written but must be clearly communicated to the disciplinary officer.

Upon receiving a request for a hearing, the disciplinary officer shall promptly notify the decision maker, the other party and the Title IX coordinator of the request and forward a copy of the written recommendation to the decision maker.

If no request for a hearing is provided to the disciplinary officer within the 21-calendar day period, the disciplinary officer's written recommendation shall be final and the recommended disciplinary sanctions, if any, shall be implemented immediately.

Service of the written recommendation or any other document required to be served under this procedure shall be done:

- In person; or
- By first class or certified mail to the party's last known address and by electronic mail to the party's college email address.

### **Pre-Hearing Procedure**

Upon receiving the written recommendation and request for a hearing, the decision maker will send a hearing notice to all parties in compliance with WAC 10-08-040. The hearing date may not be scheduled less than seven (7) calendar days after the Title IX coordinator provides the final investigation report to the parties and the disciplinary officer. The college may, at its discretion, contract with another qualified person to act as the decision maker as determined by the Title IX Coordinator.

If an advisor is an attorney, the advisor must file a notice of appearance with the decision maker with copies to all parties and the disciplinary officer at least five (5) business days before the hearing. If a notice of appearance is not filed within this timeframe, the party will be deemed to have waived their right to have an attorney as an advisor.

If a party is a represented employee who chooses not to use a union-provided advisor, the party must provide the decision maker with a signed waiver of union representation, including written consent from the union.

In preparation for the hearing, the college will provide parties with an accurate description of all relevant and not otherwise privileged evidence gathered by the investigator during the investigation, regardless of whether

the college intends to offer the evidence at the hearing. All parties shall have an equal opportunity to access the evidence upon request.

The decision maker may, or upon the request of any party, must, conduct the hearing with the parties physically present in separate locations, with technology enabling the decision maker and parties to simultaneously see and hear the party or the witness while that person is speaking.

## **Evidence**

The introduction and consideration of evidence during the disciplinary hearing is subject to the following definitions, procedures, and restrictions:

**Relevant or relevance.** A question or evidence is related to the reports of sex discrimination at issue in the proceeding. Questions are relevant when they seek evidence that may aid in showing whether the reported sex discrimination occurred, and evidence is relevant when it may aid a decision maker in determining whether the reported sex discrimination occurred.

### **Impermissible evidence.**

**Privileged information.** The decision maker shall not consider legally privileged information unless the individual holding the privilege has effectively waived the privilege. Privileged information includes, but is not limited to, information protected by the following:

- Spousal/domestic partner privilege;
- Attorney-client and attorney work product privileges;
- Privileges applicable to members of the clergy and priests;
- Privileges applicable to medical providers, mental health therapists, and counselors;
- Privileges applicable to sexual assault and domestic violence advocates; and
- Other legal privileges identified in RCW 5.60.060.

**Prior sexual behavior.** Questions or evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant and must be excluded, unless such question or evidence:

- Is asked or offered to prove someone other than the respondent committed the reported misconduct; or
- Concerns specific incidents of prior sexual behavior between the complainant and the respondent, which are asked or offered on the issue of consent.

The decision maker may not make an inference regarding responsibility solely on a witness's or party's absence from the hearing or refusal to answer questions.

In a proceeding involving reports of sex-based harassment in which a student is a complainant, the decision maker shall review, in advance, all questions the complaint and respondent propose to ask during the hearing for relevance and whether the questions seek otherwise impermissible evidence. The decision maker shall explain on the record the reasons for excluding any questions. If a question is excluded as unclear or harassing, the party proposing the question shall have an opportunity to clarify or revise the question. If questions are submitted for review in writing, the written questions shall be retained as part of the hearing record.

In a proceeding involving reports of sex-based harassment in which a student is the complainant, all questioning of witnesses on behalf of the complainant and respondent shall be conducted either by their

respective advisors or the decision maker. Determination of who will conduct the questioning is at the discretion of the decision maker.

### **Initial order**

The decision maker will be responsible for drafting an initial order that:

- Identifies the reports of sex discrimination;
- Describes the grievance and disciplinary procedures, starting with the college's receipt of the complaint through the determination of responsibility, including notices to parties, interviews with witnesses and parties, site visits, methods used to gather evidence, and hearings held;
- Makes findings of fact supporting the determination of responsibility;
- Reaches conclusions as to whether the facts establish whether the respondent is responsible for engaging in sex discrimination in violation of Title IX;
- Contains a statement of, and rationale for, the decision maker's determination of responsibility for each report;
- Describes the disciplinary sanction or conditions imposed against the Respondent, if any; and
- Describes the process for appealing the initial order to the appeal officer.

The initial order shall be served to the disciplinary officer, the parties, and the Title IX coordinator.

### **Appeals**

All parties, including the disciplinary officer in their capacity as a representative of the college, have the right to appeal from the determination of responsibility and/or from a dismissal, in whole or part, of a complaint during the investigative or hearing process.

Appeals must be in writing and filed with the appeal officer within twenty-one (21) calendar days of service of the Initial order or notice of dismissal. Appeals must identify the specific findings of fact and/or conclusions of law in the initial order or dismissal being challenged and must contain argument as to why the appeal should be granted. Basis for appeals may include, but are not limited to:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination whether sex-based harassment occurred, or dismissal was made; and
- The investigator, decision maker, or Title IX coordinator had a conflict of interest or bias for or against a respondent or complainant individually or respondents or complainants generally.
- Failure to file a timely appeal constitutes a waiver of the right to appeal and the initial order or dismissal shall be deemed final.

Upon receiving a timely appeal, the appeal officer will serve a copy of the appeal on all non-appealing parties, who will have ten (10) business days from the date of service to submit written responses to the appeal officer addressing issues raised in the appeal. Failure to file a timely response constitutes a waiver of the right to participate in the appeal. Upon receipt of written responses, the appeal officer shall serve copies of the responses to the appealing party. If necessary to aid review, the appeal officer may ask for additional briefing from the parties on issues raised on appeal.

The appeal officer, based on their review of the parties' submissions and the hearing or investigative record, will make a final decision determining whether the grounds for appeal have merit, provide the rationale for this conclusion, and state whether a dismissal is affirmed or denied, or if the disciplinary sanctions and conditions

imposed in the initial order are affirmed, vacated, or amended, and, if amended, set forth the new disciplinary sanctions and conditions.

The final decision shall be served on all parties and the Title IX coordinator. All decisions reached through this process are final and may be judicially appealed pursuant to applicable provisions of RCW 34.05, including, but not limited to, the timelines set forth in RCW 34.05.542. No decisions or recommendations arising from this disciplinary procedure will be subject to grievance pursuant to any collective bargaining agreement.

## **Students**

### **Supplemental Title IX Student Conduct Definitions and Procedures**

This supplemental procedure applies to allegations of sexual harassment subject to Title IX jurisdiction pursuant to regulations promulgated by the United States Department of Education. See 34 C.F.R. Part 106. To the extent these supplemental hearing procedures conflict with the college's standard disciplinary procedures, WAC 132H-126-100 through 132H-126-340, these supplemental procedures shall take precedence.

### **Prohibited conduct under Title IX**

Pursuant to RCW 28B.50.140(13) and Title IX of the Education Amendments Act of 1972, 20 U.S.C. Sec. 1681, the college may impose disciplinary sanctions against a student who commits, attempts to commit, or aids, abets, incites, encourages, or assists another person to commit, an act(s) of "sexual harassment."

For purposes of this supplemental procedure, "sexual harassment" encompasses the following conduct:

**Quid pro quo harassment.** A college employee conditioning the provision of an aid, benefit, or service of the college on an individual's participation in unwelcome sexual conduct.

**Hostile environment.** Unwelcome conduct that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the college's educational programs or activities, or employment.

**Sexual assault.** Sexual assault includes the following conduct:

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

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

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

**Statutory rape.** Consensual sexual intercourse between someone who is eighteen years of age or older and someone who is under the age of sixteen.

**Domestic violence.** Use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person:

- Who is a current or former spouse or intimate partner of the victim, or a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Washington;
- Who is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
- Who shares a child in common with the victim; or
- Who commits acts against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the state of Washington, RCW 26.50.010.

**Dating violence.** Physical violence, bodily injury, assault, the infliction of fear of imminent physical harm, sexual assault, or stalking committed by a person

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - The length of the relationship;
  - The type of relationship; and
  - The frequency of interaction between the persons involved in the relationship.

**Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or suffer substantial emotional distress.

#### **Title IX Jurisdiction.**

This supplemental procedure applies only if the reported misconduct:

- Occurred in the United States;
- Occurred during a college educational program or activity; and
- Meets the definition of sexual harassment as that term is defined in these supplemental procedures.

For purposes of this supplemental procedure, an “educational program or activity” is defined as locations, events, or circumstances over which the college exercised substantial control over both the respondent and the context in which the reported sexual harassment occurred. This definition includes any building owned or controlled by a student organization that is officially recognized by the college.

Proceedings under this supplemental procedure must be dismissed if the decision maker determines that one or all of the requirements of subsection (1) (a) through (c) of this section have not been met. Dismissal under this supplemental procedure does not prohibit the college from pursuing other disciplinary action based on allegations that the respondent violated other provisions of the college’s student conduct code, chapter 132H-126 WAC.

If the student conduct officer determines the facts in the investigation report are not sufficient to support Title IX jurisdiction and/or pursuit of a Title IX violation, the student conduct officer will issue a notice of dismissal in whole or part to both parties explaining why some or all of the Title IX claims have been dismissed.

#### **Initiation of discipline.**

Upon receiving the Title IX investigation report from the Title IX coordinator, the student conduct officer will independently review the report to determine whether there are sufficient grounds to pursue a disciplinary action against the respondent for engaging in prohibited conduct under Title IX.

If the student conduct officer determines that there are sufficient grounds to proceed under these supplemental procedures, the student conduct officer will initiate a Title IX disciplinary proceeding by filing a written disciplinary notice with the chair of the student conduct committee and serving the notice on the respondent, the complainant, and their respective advisor. The notice must

- Set forth the basis for Title IX jurisdiction;
- Identify the reported Title IX violation(s);
- Set forth the facts underlying the allegation(s);
- Identify the range of possible sanctions that may be imposed if the respondent is found responsible for the reported violation(s); and
- Explain that the parties are entitled to be accompanied by their chosen advisors during the hearing and that:
  - The advisors will be responsible for questioning all witnesses on their party's behalf;
  - And advisor may be an attorney; and
  - The college will appoint the party an advisor of the college's choosing at no cost to the party, if the party fails to do so; and
- Explain that if a party fails to appear at the hearing, a decision of responsibility may be made in their absence.

#### **Prehearing procedure.**

Upon receiving the disciplinary notice, the chair of the student conduct committee will send a hearing notice to all parties, in compliance with WAC 132H-126-310. In no event will the hearing date be set less than ten days after the Title IX Coordinator provided the final investigation report to the parties.

A party may choose to have an attorney serve as their advisor at the party's own expense. This right will be waived unless, at least five days before the hearing, the attorney files a notice of appearance with the committee chair with copies to all parties and the student conduct officer.

In preparation for the hearing, the parties will have equal access to all evidence gathered by the investigator during the investigation, regardless of whether the college intends to offer the evidence at the hearing.

#### **Rights of parties.**

The student conduct code of Bellevue College, chapter 132H-126 WAC, and this supplemental procedure shall apply equally to all parties.

The college bears the burden of offering and presenting sufficient testimony and evidence to establish that the respondent is responsible for a Title IX violation by a preponderance of the evidence.

The respondent will be presumed not responsible until such time as the disciplinary process has been finally resolved.

During the hearing, each party shall be represented by an advisor. The parties are entitled to an advisor of their own choosing and the advisor may be an attorney. If a party does not choose an advisor, then the Title IX Coordinator will appoint an advisor of the college's choosing on the party's behalf at no expense to the party.

## **Evidence.**

The introduction and consideration of evidence during the hearing is subject to the following procedures and restrictions.

**Relevance.** The committee chair shall review all questions for relevance and shall explain on the record their reasons for excluding any question based on lack of relevance.

Relevance means that information elicited by the question makes facts in dispute more or less likely to be true.

Questions or evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant and must be excluded, unless such question or evidence:

Is asked or offered to prove someone other than the respondent committed the reported misconduct; or

Concerns specific incidents of prior sexual behavior between the complainant and the respondent, which are asked or offered on the issue of consent

No negative inference. The committee may not make an inference regarding responsibility solely on a witness's or party's absence from the hearing or refusal to answer questions.

**Privileged evidence.** The committee shall not consider legally privileged information unless the holder has effectively waived the privilege. Privileged information includes, but is not limited to information protected by the following:

- Spousal/domestic partner privilege;
- Attorney-client and attorney work product privileges;
- Privileges applicable to members of the clergy and priests;
- Privileges applicable to medical providers, mental health therapists, and counselors;
- Privileges applicable to sexual assault and domestic violence advocates; and
- Other legal privileges identified in RCW 5.60.060.

## **Initial order.**

In addition to complying with WAC 132H-126-330, the student conduct committee will be responsible for conferring and drafting an initial order that:

- Identifies the allegations of sexual harassment;
- Describes the grievance and disciplinary procedures, starting with filing of the formal complaint through the determination of responsibility, including notices to parties, interviews with witnesses and parties, site visits, methods used to gather evidence, and hearing held;
- Makes findings of fact supporting the determination of responsibility;
- Reaches conclusions as to whether the facts establish whether the respondent is responsible for engaging in sexual harassment in violation of Title IX;
- Contains a statement of, and rationale for, the committee's determination of responsibility for each allegation;
- Describes any disciplinary sanction or conditions imposed against the respondent, if any;
- Describes to what extent, if any, complainant is entitled to remedies designed to restore or preserve complainant's equal access to the college's education programs or activities; and
- Describes the process for appealing the initial order to the president.
- The committee chair will serve the initial order on the parties simultaneously.

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## Appeals.

The parties shall have the right to appeal from the initial order's determination of responsibility and/or dismissal of an allegation(s) or sexual harassment in a formal complaint. The right to appeal will be subject to the same procedures and time frames set forth in WAC 132H-126-340.

The president or their delegate will determine whether the grounds for appeal have merit, provide the rationale for this conclusion, and state whether the disciplinary sanction and condition(s) imposed in the initial order are affirmed, vacated, or amended, and if amended, set forth any new disciplinary sanction and/or condition(s).

President's office shall serve the final decision on the parties simultaneously.

## Prevention and Awareness Programs

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, Bellevue College (BC) utilizes a range of strategies and initiatives to promote awareness, education, risk reduction, and prevention programming.

Programs offered throughout the year to students include strong messages regarding not just awareness, but also primary prevention (including information on healthy relationships, environmental management, and bystander intervention), and discuss institutional policies on sexual misconduct as well as the definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity.

New employees are required to complete training related to sexual misconduct and college policies and practices to address sexual misconduct complaints.

Bellevue College offers trainings for incoming students and new employees through Vector Solutions as part of the institution's ongoing prevention and awareness campaign. Vector Solutions training complies with Clery for students and employees. Vector Solutions trainings assigned to incoming students include: "*RespectEdu for Community College Students*" and "*Sexual Assault Prevention for Community College*."

## How to be an Active Bystander

An active bystander is a person who witnesses a harmful or dangerous situation and chooses to speak up or step in to keep the situation from continuing or escalating. Bystanders play a critical role in the prevention of sexual and relationship violence. We want to promote a culture of respect and accountability where bystanders are actively engaged in the prevention of violence without causing further harm. Below is a list of ways to be an active bystander. If you or someone else is in immediate danger, dial 911.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.

- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.

- Speak up when someone discusses plans to take sexual advantage of another person.

- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.

- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

## Bystander Intervention Strategies (the 3 Ds)

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- Direct
  - Directly confront the harasser.
  - Before you decide to respond directly, assess the situation: Are both you and the person being harassed physically safe? Can you tell if the person being harassed would like someone to speak up? If so, you may want to choose a direct response.
- Distract
  - Interrupt the incident in some way.
  - Instead of addressing the harasser, engage directly with the person who is being targeted. Don't talk about or refer to the harassment, talk about something completely unrelated. Ask for the time, compliment the person's shoes, or spill a drink.
- Delegate
  - Ask someone to assist.
  - Get help from someone else. Ask a staff member or RA to help. Ask someone who knows the victim better to intervene. Call campus security or another authority. Delegating is particularly profound since it breaks through the diffusion of responsibility that so often happens when there are multiple people around.

### Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, and Incest National Network, [www.rainn.org](http://www.rainn.org))

- Be aware of your surroundings. Knowing where you are and who is around you, may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the United States).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.

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- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get them to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

If you need to get out of an uncomfortable or scary situation here are some things that you can try:

- Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
- Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

## Community Advocates for Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Bellevue College works closely with local community agencies to support students. Bellevue College maintains a Memorandum of Understanding (MOU) with program partner DAWN. As our program partner, DAWN provides confidential services to victims of dating and domestic violence and sexual assault.

DAWN provides services to survivors of all ages, regardless of race, gender, immigration status, sexuality, class, and employment. DAWN's information can be found at [dawnrising.org](http://dawnrising.org) or by calling 425-656-7867.

### Additional Community Resources

**LifeWire:** [lifewire.org](http://lifewire.org) or 1-425-746-1940

**Sexual Assault Center for Pierce County:** [www.sexualassaultcenter.com](http://www.sexualassaultcenter.com) or 1-800-756-7273

**Asian Counseling and Referral Service:** [www.acrs.org](http://www.acrs.org) or (206) 695-7600

**Abused Deaf Women's Advocacy Service:** [www.adwas.org](http://www.adwas.org) or (206) 922-7088

**Consejo Counseling and Referral Service:** [www.consejocounseling.org](http://www.consejocounseling.org) or (206) 461-4880

**Crisis Connections 24-hour Crisis Line:** [www.crisisconnections.org](http://www.crisisconnections.org) or 866-427-4747, (TDD/TTY): (206) 461-2610

**Domestic Abuse Women's Network (DAWN):** [www.dawnrising.org](http://www.dawnrising.org) or (425) 656-7867

**Harborview Abuse and Trauma Center:** [depts.washington.edu/uwhatc/](http://depts.washington.edu/uwhatc/) (206) 744-1600 or (TDD/TTY) (206)

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**Jewish Family Service:** [www.jfsseattle.org](http://www.jfsseattle.org) or (206) 461-3240.

**King County Sexual Assault Resource Center:** [www.kcsarc.org](http://www.kcsarc.org) or (425) 226-5062 or (TTY): (425) 271-6332

**King County Domestic Violence:** [www.kingcounty.gov/depts/prosecutor/victim-community-support/domestic-violence.aspx](http://www.kingcounty.gov/depts/prosecutor/victim-community-support/domestic-violence.aspx)

**New Beginnings (shelter) 24-hour Hotline:** [www.newbegin.org](http://www.newbegin.org) or (206) 522-9472

**Northwest Network:** [www.nwnetwork.org](http://www.nwnetwork.org) or (206) 568-7777

**Seattle Counseling Service:** [seattlecounseling.org/](http://seattlecounseling.org/) (206) 323-0220

**Seattle Indian Health Board:** [www.sihb.org](http://www.sihb.org) or (206) 324-9360 and (TTY) 800 833 6384

**Washington State Domestic Violence Hotline:** 1-800-562-6025 or (TTY): (360) 863-4627

### Law Enforcement Agencies

**Seattle Police Department:** [www.seattle.gov/police](http://www.seattle.gov/police)

**Washington State Patrol:** [wsp.wa.gov](http://wsp.wa.gov)

**Federal Bureau of Investigation:** [www.fbi.gov](http://www.fbi.gov)

**Bellevue Police Department:** [bellevuewa.gov/city-government/departments/police](http://bellevuewa.gov/city-government/departments/police)

**The United States Department of Justice:** <http://www.usdoj.gov>

**King County Sheriff's Office:** <http://www.kingcounty.gov/safety/sheriff.aspx>

### Disclosures to Alleged Victims of Crimes of Violence or Non-forcible Sex Offenses

Bellevue College will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the results of any disciplinary hearings conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Bellevue College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

### Sex Offenders

Federal law, the Campus Sex Crimes Prevention Act, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires state law enforcement agencies to provide BC with a list of registered sex offenders who have indicated that they are either enrolled, intend to enroll, carries on a vocation, or is an employee. Nothing in the Federal Education Rights and Privacy Act (FERPA) prohibits an educational institution from disclosing information about registered sex offenders. Bellevue College (BC) Public Safety Department maintains a list of registered sex offenders who are attending or have attended BC and the Director of Student Care and Community Standards conducts an intake meeting with registered RSOs to discuss restrictions related to their participation on campus based on their level.

- King County: <http://www.kingcounty.gov/safety/sheriff/SOSearch.aspx>

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- Pierce County: <https://www.co.pierce.wa.us/index.aspx?NID=1964>
- Snohomish County: [http://sheriff.snoco.org/Sheriff\\_Services/RSO\\_Search.htm](http://sheriff.snoco.org/Sheriff_Services/RSO_Search.htm)
- Seattle: <http://web1.seattle.gov/police/sexoffender>

**Level I** - The vast majority of registered sex offenders are classified as Level 1 offenders. They are considered at low risk to re-offend. These individuals may be first time offenders and they are usually known by their victims. They normally have not exhibited predatory type characteristics and most have successfully participated or are participating in approved treatment programs. Many are first time offenders. Level I offenders MAY NOT be the subject of general public notification. Washington State Law strictly limits public disclosure of all Level I Registered Sex Offender information. Information shall be shared with other law enforcement agencies and, upon request, relevant, necessary and accurate information may be disclosed 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** - Level 2 offenders have a moderate risk of reoffending. They generally have more than one victim and the abuse may be long-term. These offenders usually groom their victims and may use threats to commit their crimes; they have a higher likelihood of reoffending than the Level 1 offenders. They are considered a higher risk to re-offend, because of the nature of their previous crime(s) and lifestyle (drug and alcohol abuse and other criminal activity). Some have refused to participate or failed to complete approved treatment programs. Typically, these individuals do not appreciate the damage they have done to their victims.

Washington state law prohibits the Public Disclosure of Level II Registered Sex Offenders except under specific criteria. Level II notifications including relevant, necessary and accurate information 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** - Level 3 offenders are the greatest risk to the community. Most are predatory and have other violent crime convictions, refused treatment and are known substance abusers. Community notification is the most extensive. Washington state law permits notifications about Level III offenders that include relevant, accurate and necessary information. This information MAY BE disclosed to the public at large.

**BC Notification of Registered Sexual Offender(s)**

[BC Policy 1600](#) states: "Pursuant to RCW 4.24.550, Bellevue College is authorized to release relevant and necessary information regarding sex offenders to the public when release of the information is necessary for public protection. This notification shall be in accordance with applicable state law and shall be in such a manner that maintains safety without creating excessive anxiety among students and staff. The extent of public disclosure of relevant and necessary information shall be directly related to:

- The level of risk posed by the offender to the community.
- The locations where the offender resides, expects to reside or is regularly found.
- The needs of the affected community members for information to enhance their individual and collective safety.

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**Immunity** Public employees and/or public agencies are immune from civil liability for damages for any discretionary decisions or release of relevant and necessary information, unless it is shown that the employee or agency acted with gross negligence or in bad faith (RCW 4.24.550).” The following procedures ([BC Policy 1600P](#)) are established to meet the requirements for implementing policy 1600 – Notification of Registered Sexual Offender(s).

- Upon notification from law enforcement that a sexual offender has registered or intends to register, the associate vice president of student affairs will be informed. All official notifications to the college community shall come from the office of the associate vice president of student affairs. Requests for additional information will be referred to the appropriate law enforcement agency.
- Upon learning of the enrollment/presence of a convicted sexual offender at Bellevue College, the associate vice president of student affairs will take the following steps:
  - Obtain additional information, as necessary, from law enforcement.
  - Meet with president and/or their staff and review relevant information to assess safety issues posed for currently enrolled students and the Early Learning Center.
  - Meet with the convicted offender to make them aware of the notification procedure. Other than the notification procedure, convicted sex offenders will receive the same rights and privacy protections provided to all students.
- Notification will correspond with the classification level in the following manner:

**Level I – Low Risk**

- President’s cabinet.
- Deans/ associate deans/associate vice presidents of academic and student affairs.
- Director of the Early Learning Center.

**Level II – Medium Risk**

- All Level I notifications.
- Information to college employees via campus ALL BC OFFICIAL email and portal advising there is a Level II Offender enrolled on campus.

**Level III – High Risk**

- All Level I and Level II notifications.
- “Public notification: sex offender release” (picture, name and other information provided by the law enforcement agency) posted on various bulletin boards around campus including the Public Safety office, Early Learning Center, student affairs building, bookstore, cafeteria, gymnasium, library, learning support center, computer labs, and other areas frequented by students.
- Notification of all underage students and their parents registered in classes with the offender.
- All students registered in class with offender.
- Contact the offender’s instructors.

## Relationships with other Agencies

Bellevue College recognizes that laws and rules are necessary for society to function and supports the enforcement of law by governmental agencies and rules by officials of the College. All persons on the campus are subject to these laws and rules at all times. While the College is state property, and constitutional protections apply, law enforcement officers may enter the campus to conduct business as needed.

Additionally, the officers are invited to patrol the campus to assist Public Safety in deterring crime. Public Safety officers are expected to render assistance provided such assistance can be given without significantly

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endangering the officer or others not involved in the crime.

## Safety and Security Programs

### Presentations

At Bellevue College (BC), there are a series of programs offered throughout the year to students, faculty and staff that promote safety and security. The programs are offered by the BC Public Safety Department and the Bellevue Police Department. The BC Public Safety Department wants to encourage students, faculty, staff and visitors to be aware of their own responsibility for their security and the security of others.

Classes are offered per request and as staffing availability can be accommodated. If any department or organization would like to schedule an offered program, contact the Director of Public Safety or (425) 564-2400. Offered programs include, but are not limited to the following:

- Emergency Preparedness
- Campus Security Authority
- Introduction to the Campus and Public Safety Department (new student orientation)
- Driver Safety

### Safety Escorts on Campus

The BC Public Safety Department offers an escort program to all students, faculty and staff to and from any location on campus. Call a Public Safety officer direct at (425) 466-9365 or office at (425) 564-2400, if you are in need of a Public Safety escort.

### Crime Prevention

Personal Safety is a shared responsibility. You are encouraged to think and act in ways that increase your personal safety, the safety of your belongings, and the protection of your vehicle. A program in Personal Safety is offered by the Department of Public Safety and can be requested by contacting the Director of Public Safety or (425) 564-2400.

Below are some tips that can help you prepare yourself and your property. This list is not meant to be an all-inclusive list, but merely a list to start you thinking about your personal and property safety and security. For more information go to: <http://www.ncpc.org/>

### Guard Yourself

- Be physically and psychologically prepared to defend yourself. By preparing, you will have more options in a confrontation.
- When walking on campus, especially at night, use well-traveled, open routes to get to your destination. If possible, walk with another person or call the BC Public Safety Department at (425) 564-2400 for an escort.
- Avoid using isolated stairwells.
- Walk assertively, without daydreaming, and be alert to everything around you. Dress for movement; wear low-heeled shoes if possible and do not carry too many bulky packages.
- At night, never walk alone unless absolutely necessary. Wait in a well-lit place if someone is meeting you. Contact a Public Safety officer direct at (425) 466-9365 or office at (425) 564-2400, for an on-campus escort.
- Have your car keys in your hand before leaving the building. Get into your vehicle quickly and lock your

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doors, immediately. Caution: If you see someone loitering around your vehicle, leave and call (425) 466-9365 for a Public Safety officer escort before approaching.

- Be aware of your surroundings and any signs that something is out of place.
- In the Office: Some employees carry a loud whistle or other noise device to alert nearby colleagues in case of emergency. Lock building doors. Do not prop open outside building doors that are supposed to remain locked.
- If you are working late, notify the BC Public Safety Department so that they can check on you periodically on the street.
- Police advise saying “No” to requests for money from strangers and avoid confrontation by not saying or doing anything to provoke further conversation.
- If you feel threatened, try to avoid the danger by getting away from it quickly.

### **Get Help**

- Scream loudly for help, “Call the Police!”
- From any campus phone, dial ext. 2400 for BC Public Safety.
- Dial 911 for police or fire from any public phone.

## **Fire Safety Report and Statistics**

The Campus Fire Safety Right to Know Act is an amendment to the Higher Education Opportunity Act. This addition is in place to increase campus fire safety awareness nationwide by providing prospective students, students and their families with fire safety records of post-secondary institutions with residential facilities. Since it was signed into law on August 14, 2008, post-secondary institutions are required to publish fire safety information and statistics for their residential facilities.

In addition, the Federal government requires all eligible Title IV institutions that maintain on campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The data includes the number, cause, related injuries and deaths, and the property damages associated with each fire, and to report this to the Department of Education on an annual basis.

The information in this section provides the campus community and prospective and current students, staff, faculty and visitors information regarding the policies, concerns, and fire safety conditions that are present at Bellevue College.

The log is kept and maintained by the Director of Housing and data is compiled annually for inclusion in the Annual Security and Fire Safety Report. Real-time records of the log are available for review in the Bellevue College Housing Office or by contacting [housing@bellevuecollege.edu](mailto:housing@bellevuecollege.edu).

In the case of a fire, students and employees should first contact 911. As soon as it is safe, contact Public Safety at (425) 564-2400 during regular business hours or reach an officer directly after hours at (425) 466-9365. The Director of Public Safety should be notified of any fire on campus as soon as the information is available. The Director for Housing should also be notified immediately if the fire occurred in the residence hall.

Statistics and Related Information Regarding Fires in Residential Facilities for 2024						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
2488 Kelsey Creek Road SE	1	1	Plastic cutting board left on stovetop	0	0	\$850
2508 Kelsey Creek Road SE	0	0	N/A	N/A	N/A	N/A

Statistics and Related Information Regarding Fires in Residential Facilities for 2023						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
2488 Kelsey Creek Road SE	1	1	Students turned oven on with a plastic food storage container inside	0	0	\$200
2508 Kelsey Creek Road SE	0	0	N/A	N/A	N/A	N/A

Statistics and Related Information Regarding Fires in Residential Facilities for 2022						
Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
2488 Kelsey Creek Road SE	0	0	N/A	N/A	N/A	N/A
2508 Kelsey Creek Road SE	0	0	N/A	N/A	N/A	N/A

## Housing Policies and Regulations

Upon signing a housing agreement, students agree to abide by on-campus policies and regulations. Included in **Your Right to Know** Bellevue College Annual Fire and Security Report - Data from 2022-2024

these regulations are restrictions on portable electric appliances, a smoking policy, a policy against the misuse of fire safety equipment, and evacuation procedures and requirements. These policies are explained in the [Bellevue College Housing Community Standards](#) as well as during move-in orientation and are enforced by Housing staff 24-hours per day. Students should report fire incidents by contacting Public Safety at (425) 564-2400 during regular business hours or reach an officer directly after hours at (425) 466-9365, or any member of BC Housing staff by calling (425) 564-1700 or emailing [housing@bellevuecollege.edu](mailto:housing@bellevuecollege.edu). Fire incidents should always be reported to 911 first.

## Prohibited Items

Residents and their guests may not possess candles, incense, electric skillets, hot plates/pads, space heaters, halogen lights, neon lights, personal refrigerators in excess of 4.5 cubic feet, barbeque grills of any kind, flammable gas or oils, or motorized vehicles inside the Bellevue College Residence Hall.

## Tobacco and Vape

The Bellevue College Residence Hall is a smoke free community. The use of tobacco, electronic cigarettes, and related products is prohibited, including twenty-five (25) feet from entrances, exits, windows that open, and ventilation intakes of any building owned, leased, or operated by the College.

## Misuse of Fire Safety Equipment

Tampering with, disarming, damaging, or falsely discharging any provided fire safety equipment, including smoke detectors, fire extinguishers, sprinklers, exit signs, or alarms, is strictly prohibited.

## Evacuation Requirements

Failure to evacuate in case of a fire alarm or other mandated evacuation in a prompt and orderly manner is strictly prohibited. Residents and guests may not block or barricade any route of evacuation including doors and windows.

## Fire Safety Education and Training Programs

The College takes fire safety seriously and has established fire safety programs for students living in the Residence Hall. Bellevue College has specific fire safety programs that target employees and contractors working on campus such as CPR training, fire extinguisher training, and first aid. Fire Safety Training programs can also be requested by contacting Public Safety direct at (425) 466-9365 or office at (425) 564-2400.

Fire safety education and response is promoted on an ongoing basis. Resident Assistants (RAs) and housing staff receive an orientation to the operations of the fire alarm system, alarm panel, pull-stations, smoke alarms, and fire extinguishers. Students living in the Residence Hall receive a general orientation to the fire systems present in the building during the first week of their arrival. Staff and RAs also review evacuation and emergency procedures with residents. Housing conducts routine fire evacuation drills and checks for fire hazards during routine health and safety inspections. Additionally, equipment is comprehensively tested annually. Student Fire Safety Education

Residents are strongly encouraged when receiving their housing orientation to become familiar with exit routes from the building. Orientation is conducted online through Canvas and reinforced in either remote or in-person floor meetings with their Resident Assistant. During the orientation, floor meetings, and throughout their interactions with staff, residents are encouraged to:

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- Know how to activate the fire alarm system if the system is not activated automatically
- Know the locations of the fire extinguishers and how to operate them
- Arrange their room contents with fire safety in mind
- Maintain clear and unobstructed access to all room doors, from both the outside and inside
- Not to use broken, frayed, or cracked electrical cords
- Not to overload electrical outlets
- Not to allow excess clutter or flammable materials to accumulate

In addition to formal educational offerings, housing staff conducting quarterly health and safety inspections in each unit and bedroom of the Residence Hall. Fire safety concerns and violations are documented, resolved quickly, and residents are provided detailed feedback to avoid the issue, in the future.

## Fire Safety Tips

Simple preventative measures can help prevent fires from erupting. It is important to consider fire safety when using any material or substance around heat or exposed to open flame, or in those areas involving electricity or chemicals in kitchens and labs. For housing residents, this is particularly important due to the presence of electric cooktops in their housing units. The following are helpful tips shared with housing residents:

- Never leave cooking unattended
- Do not assume an alarm is a false alarm
- Do not use elevators in the event of a fire
- Know at least two ways out of your building
- If unable to exit the building, go to the nearest exit stairwell or safe area of refuge and call Public Safety direct at (425) 466-9365 or office at (425) 564-2400 or 911 to report your location.
- If trained, use a fire extinguisher if the fire is small and contained, and the room is not filled with smoke.

## Reporting a Fire in Campus Housing

Individuals who discover a fire should dial 911 and activate the fire alarm system, especially if the alarm system has not automatically been triggered. When sounded, the fire alarm system will summon the Bellevue Fire Department and Bellevue College Public Safety, but residents and staff are always encouraged to call, just in case.

When the alarm system in the Residence Hall is triggered, Public Safety will immediately contact the on-duty administrator and dispatch a Public Safety officer to the scene while housing staff begin the process of facilitating an orderly evacuation. Any and all fires should be reported to Public Safety immediately.

## Fire Evacuation Procedures

Public Safety plans and conducts campus fire drills annually for each on campus building and quarterly for the residence hall. These drills are for the benefit of students, faculty, and staff to improve awareness and preparation for effective fire prevention and response.

Drills conducted in the Residence Hall are planned and may occasionally be announced to residents, in advance. Following all completed drills, housing and Public Safety staff convene to evaluate the effectiveness of the drill and determine any areas where improvement is needed. In 2021, 3 fire drills were conducted in the residence hall in a format consistent with the expectations set forth by the Bellevue Fire Department. This is in addition to an annual full fire system inspection and sprinkler system flush which occurred in August 2021.

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## Students Residing in Campus Housing

Instructions given to residents related to evacuation are clear: when the Residence Hall building alarm sounds, they are to proceed to the nearest building exit and move in a calm and orderly fashion directly to the assigned evacuation location. In the event of a discovered fire in the building, the procedures are as follows:

- The resident who discovers the fire should immediately activate the nearest fire alarm system, if possible, while evacuating the building. In the event a fire alarm system did not activate, the resident who discovered the fire should immediately report the fire to 911 or if no phone is available should report to the Housing Department or Public Safety
- All persons are required to leave the building immediately upon hearing a fire alarm
- Close room doors and windows
- Wear shoes and bring a coat
- Leave via the nearest, safest exits, path, or route
- Don't panic— move quickly outside the building to the designated evacuation area
- For individuals with mobility needs, each wing is equipped with an Area of Refuge notification button near the elevator that can directly contact Public Safety for assistance in evacuation

Housing staff will assist with the evacuation of the building as availability and safety permits. Once outside, staff will be directed to help guide students to the appropriate evacuation location, wait with students at the location and, when needed, take roll, and, when requested, may assist Bellevue Fire Department or Public Safety in other duties. Failure to respond to a fire alarm or to staff requests during an evacuation may result in disciplinary action. Residents are instructed that they are to wait at the evacuation location until the “all-clear” has been given by the Bellevue Fire Department.

## Housing Employees

All Resident Assistants (RAs) and professional housing staff are CPR/First Aid/AED trained and receive an annual fire training from the Bellevue Fire Department in collaboration with Public Safety or directly from Public Safety if the Bellevue Fire Department is unavailable. Housing staff are instructed to following these guidelines in the case of a fire:

- Safety of the People: Evacuate people as quickly as possible without putting oneself in harm's way
- Send the Alarm: Call the Fire Department at 911 and relay all information pertaining to the operator
- Notify Public Safety and the housing professional staff on-call immediately after calling 911
- Notify others in the area: Use any alarm provided for this purpose
- Assist Public Safety or Firefighters: Relate to them what is burning (i.e. special chemicals, electrical appliance, cooking fire, etc.)
- Assist and safely guide residents to the evacuation location
- Provide support to residents during and after the evacuation

## Fire Safety Systems in Residential Facilities

Buildings are equipped with a variety of features that are designed to detect, stop and/or suppress the spread of a fire. Each door that leads to a common or public area is fire rated and designed to automatically close in order to keep fire contained. Sprinkler heads are covered and reveal themselves automatically in case of a fire. Smoke detectors in all common and public areas of the Residence Hall are linked to trigger an evacuation. Smoke detectors inside private suites and apartments will only trigger an evacuation in case of actual fire.

When the Residence Hall building alarms are activated, Bellevue Fire Department and Public Safety are

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automatically notified. Housing staff are notified, as well. Housing staff are instructed to call Bellevue Fire Department and then Public Safety during the evacuation process as an added precaution. Campus housing is equipped with a wide array of fire and safety protocols in place for their residents. Each suite/apartment and wing are equipped with evacuation maps.

Wing hallways are equipped with fire extinguishers and AEDs that are easily accessible. Smoke Detectors are checked annually by an outside contracted fire safety company (AAA Fire & Safety, Inc.) to ensure their operational status. Smoke detectors are hard-wired into the building and have a backup power support in case of a power outage.

### **Suppression System**

A sprinkler system is provided for additional safety in the event of a fire. Residents must be careful not to damage, tamper with, cover, or hang items from the sprinkler heads or an accidental discharge of water may result.

### **Plans for Future Improvements in Fire Safety**

Bellevue College and Campus Housing continue to assess and upgrade fire safety equipment on an ongoing basis to ensure that all equipment meets National Fire Safety standards. Any future improvements identified will be made as needed. If needed improvements are ever determined, they will be specified in this report along with a plan for their implementation. However, no improvements in fire safety are currently needed.

## **Washington State Definitions**

### **RCW 69.41.010**

Definitions. As used in this chapter, the following terms have the meanings indicated unless the context clearly requires otherwise:

- (1) "Administer" means the direct application of a legend drug whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by:
  - (a) A practitioner; or
  - (b) The patient or research subject at the direction of the practitioner.
- (2) "Commission" means the pharmacy quality assurance commission.
- (3) "Community-based care settings" include: Community residential programs for persons with developmental disabilities, certified by the department of social and health services under chapter **71A.12** RCW; adult family homes licensed under chapter **70.128** RCW; and assisted living facilities licensed under chapter **18.20** RCW. Community-based care settings do not include acute care or skilled nursing facilities.
- (4) "Deliver" or "delivery" means the actual, constructive, or attempted transfer from one person to another of a legend drug, whether or not there is an agency relationship.
- (5) "Department" means the department of health.
- (6) "Dispense" means the interpretation of a prescription or order for a legend drug and, pursuant to that prescription or order, the proper selection, measuring, compounding, labeling, or packaging necessary to prepare that prescription or order for delivery.
- (7) "Dispenser" means a practitioner who dispenses.

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- (8) "Distribute" means to deliver other than by administering or dispensing a legend drug.  
"Distributor" means a person who distributes
- (9) "Drug" means:
- (a) Substances recognized as drugs in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States, or official national formulary, or any supplement to any of them;
  - (b) Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or animals;
  - (c) Substances (other than food, minerals or vitamins) intended to affect the structure or any function of the body of human beings or animals; and
  - (d) Substances intended for use as a component of any article specified in (a), (b), or (c) of this subsection. It does not include devices or their components, parts, or accessories.
- (10) "Electronic communication of prescription information" means the transmission of a prescription or refill authorization for a drug of a practitioner using computer systems. The term does not include a prescription or refill authorization transmitted verbally by telephone nor a facsimile manually signed by the practitioner.
- (11) "In-home care settings" include an individual's place of temporary and permanent residence, but does not include acute care or skilled nursing facilities, and does not include community-based care settings.
- (12) "Legend drugs" means any drugs which are required by state law or regulation of the pharmacy quality assurance commission to be dispensed on prescription only or are restricted to use by practitioners only.
- (13) "Legible prescription" means a prescription or medication order issued by a practitioner that is capable of being read and understood by the pharmacist filling the prescription or the nurse or other practitioner implementing the medication order. A prescription must be hand printed, typewritten, or electronically generated.
- (14) "Medication assistance" means assistance rendered by a non-practitioner to an individual residing in a community-based care setting or in-home care setting to facilitate the individual's self-administration of a legend drug or controlled substance. It includes reminding or coaching the individual, handing the medication container to the individual, opening the individual's medication container, using an enabler, or placing the medication in the individual's hand, and such other means of medication assistance as defined by rule adopted by the department. A non-practitioner may help in the preparation of legend drugs or controlled substances for self-administration where a practitioner has determined and communicated orally or by written direction that such medication preparation assistance is necessary and appropriate. Medication assistance shall not include assistance with intravenous medications or injectable medications, except prefilled insulin syringes.
- (15) "Person" means individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.
- (16) "Practitioner" means:
- (a) A physician under chapter **18.71** RCW, an osteopathic physician or an osteopathic physician and surgeon under chapter **18.57** RCW, a dentist under chapter **18.32** RCW, a podiatric physician and surgeon under chapter **18.22** RCW, an East Asian medicine practitioner to the extent authorized under chapter **18.06** RCW and the rules adopted under RCW **18.06.010**(1)(j), a
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veterinarian under chapter **18.92** RCW, a registered nurse, advanced registered nurse practitioner, or licensed practical nurse under chapter **18.79** RCW, an optometrist under chapter **18.53** RCW who is certified by the optometry board under RCW **18.53.010**, an osteopathic physician assistant under chapter **18.57A** RCW, a physician assistant under chapter **18.71A** RCW, a naturopath licensed under chapter **18.36A** RCW, a pharmacist under chapter **18.64** RCW, or, when acting under the required supervision of a dentist licensed under chapter **18.32** RCW, a dental hygienist licensed under chapter **18.29** RCW;

- (b) A pharmacy, hospital, or other institution licensed, registered, or otherwise permitted to distribute, dispense, conduct research with respect to, or to administer a legend drug in the course of professional practice or research in this state; and
- (c) A physician licensed to practice medicine and surgery or a physician licensed to practice osteopathic medicine and surgery in any state, or province of Canada, which shares a common border with the state of Washington.

(17) "Secretary" means the secretary of health or the secretary's designee.

#### **RCW 69.41.210**

Definitions. The terms defined in this section shall have the meanings indicated when used in RCW **69.41.200** through **69.41.260**.

- (1) "Commission" means the pharmacy quality assurance commission.
- (2) "Distributor" means any corporation, person, or other entity which distributes for sale a legend drug under its own label even though it is not the actual manufacturer of the legend drug.
- (3) "Legend drug" means any drugs which are required by state law or regulation of the commission to be dispensed as prescription only or are restricted to use by prescribing practitioners only and shall include controlled substances in Schedules II through V of chapter **69.50** RCW.
- (4) "Solid dosage form" means capsules or tablets or similar legend drug products intended for administration and which could be ingested orally.

#### **RCW 69.41.300**

Definitions. For the purposes of RCW **69.41.300** through **69.41.350**, "steroids" shall include the following:

- (1) "Anabolic steroids" means synthetic derivatives of testosterone or any isomer, ester, salt, or derivative that act in the same manner on the human body;
- (2) "Androgens" means testosterone in one of its forms or a derivative, isomer, ester, or salt, that act in the same manner on the human body; and
- (3) "Human growth hormones" means growth hormones, or a derivative, isomer, ester, or salt that act in the same manner on the human body.

#### **RCW 69.50.101**

Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- (a) "Administer" means to apply a controlled substance, whether by injection, inhalation, ingestion, or any other means, directly to the body of a patient or research subject by:
  - (1) A practitioner authorized to prescribe (or, by the practitioner's authorized agent);

- (2) The patient or research subject at the direction and in the presence of the practitioner.
- (b) "Agent" means an authorized person who acts on behalf of or at the direction of a manufacturer, distributor, or dispenser. It does not include a common or contract carrier, public warehouseperson, or employee of the carrier or warehouseperson.
  - (c) "CBD concentration" has the meaning provided in RCW **69.51A.010**.
  - (d) "CBD product" means any product containing or consisting of cannaboid oil.
  - (e) "Commission" means the pharmacy quality assurance commission.
  - (f) "Controlled substance" means a drug, substance, or immediate precursor included in Schedules I through V as set forth in federal or state laws, or federal or commission rules, but does not include industrial hemp as defined in RCW **15.120.010**