



Annual Security & Fire Report 2024

YAKIMA VALLEY COLLEGE
ANNUAL SECURITY & FIRE REPORT

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INTRODUCTION

Yakima Valley College's Annual Security & Fire Report (ASR) is intended, in part, to assure compliance as directed by the United States Department of Education and "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998" (Clery Act). More importantly, the report provides a resource-rich document that allows all interested parties to easily access and research the college's crime prevention and safety policies, procedures, and guidelines that assure the safest possible college experience at YVC.

YVC posts an electronic version of this [annual security and fire report online](http://www.yvcc.edu/services/crimestats/)¹ on our Campus Security website. www.yvcc.edu/services/crimestats/. Printed copies are available in the Campus Security Department on the Yakima Campus. This report is reviewed annually, and updated statistics are provided prior to October 1 of each year.

The statistics include the occurrence of the following criminal offenses reported to the campus security authorities or to the local law enforcement agencies that occurred on campus, in or on non-campus buildings or property including streets, sidewalks, and parking lots within the campus or immediately adjacent to and accessible from the campus.

¹ <http://www.yvcc.edu/services/crimestats/>

CLERY CRIMES

Primary Crimes

- Criminal Homicide
- Murder and Non-Negligent Manslaughter Negligent Manslaughter
- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

Violence Against Women Act Offenses

- Sex Offenses Forcible
- Sex Offenses Non-Forcible
- Domestic Violence
- Dating Violence
- Stalking

Arrests and Referrals for Disciplinary Actions

- Weapons: Carrying, possessing, ext.
- Drug Abuse Violation
- Liquor Law Violation

Hate Crimes

- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Simple Assault
- Larceny-Theft
- Intimidation
- Destruction/Damage/Vandalism of Property

Hierarchy Rule

When examining incidents to determine if they should be included in the Annual Security & Fire Report, a portion of the Clery Act called the Hierarchy Rule comes into effect. Occasionally, a person who is arrested may have committed more than a single offense. The Hierarchy Rule requires in this situation that the college count the offense which is the most serious in nature, and not count the offense of lesser significance. For example, if a person committed a burglary and a murder in the course of a single act then only the murder would be counted. An exception to this rule exists for hate crimes. If a person commits a hate crime, then both crimes are counted.

Excluded Crimes

In some cases, an incident that is reported as a crime may not be included in the Annual Security & Fire Report. All of the following five standards must be met for an incident to be included in the annual report.

- **Reported to the Proper Authorities** – Incidents must be reported to law enforcement, Campus Security, or a person who, according to the Clery Act, is defined as a Campus Security Authority (CSA). A person designated as a CSA does not mean a person employed by the Campus Security Department. A CSA can be any campus employee who a student reasonably believes that he or she can report a crime to and expect that the matter will be addressed directly by contacting law enforcement and YVC Campus Security for a response.
- **Listed Crimes** – The crime must be one of those listed in the Clery Act as a reportable crime. (See list above)
- **Reportable Area** – The crime must have occurred in one of the reportable areas. Every reportable crime occurring within the boundaries of campus is the reportable area. The two remaining areas are more difficult to define. Perimeter streets are described in the following way: “Sidewalk – Street – Sidewalk.” This means that a reportable crime occurring on the sidewalk on either side of a perimeter street is reportable, as are incidents occurring in the street. But an incident occurring in a building (i.e., a privately owned store) on the distant side of a perimeter street would not be included. Most law enforcement agencies do not distinguish where a crime occurs with this degree of detail. Crimes are usually located by street and house numbers. With regard to non-campus buildings, crimes occurring in those buildings or on the property of that location are reportable. Incidents occurring on the sidewalk or on the streets in front of that building are not Clery Act reportable. *See Appendix: A. Yakima Campus Map and B. Grandview Campus Map*
- **Made in Good Faith** – For an incident to be included there must be a determination that the report is made in good faith. Supporting evidence makes this determination easy, but such evidence is not always available. In such a case, the credibility of the person making the report is considered. When the incident is reported to us through a law enforcement agency, we assume that this determination has already been made.
- **Unfounded** – If law enforcement determines that a particular reported incident could not have occurred or did not occur, i.e., a false report, the crime is not included in the Annual Security & Fire Report. Only law enforcement can rule a case “unfounded.”

YAKIMA VALLEY COLLEGE CRIME STATISTICS YAKIMA CAMPUS

OFFENSE	ON CAMPUS			STUDENT HOUSING			NON-CAMPUS			PUBLIC PROPERTY			UNFOUNDED CRIMES		
	2023	2022	2021	2023	2022	2021	2023	2022	2021	2023	2022	2021	2023	2022	2021
CRIMINAL OFFENSES:															
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0
Aggravated Assault	3	1	0	1	0	0	0	0	0	4	1	0	0	0	0
Burglary	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	1	5	1	0	0	0	0	0	0	2	1	1	0	0	0
Arson	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
VIOLENCE AGAINST WOMEN ACT OFFENSES:															
Sex Offenses Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses Non-forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	1	1	0	0	0	0	0	0	7	5	1	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS:															
Weapons: Carrying, Possessing, Etc.	0	1	0	0	0	0	0	0	0	0	2	0	0	0	0
Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY ACTION:															
Weapons: Carrying, Possessing, Etc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violation	1	0	2	0	0	2	0	0	0	0	0	0	0	0	0
Liquor Law Violation	15	0	2	13	0	2	0	0	0	0	0	0	0	0	0
HATE CRIMES:															
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

YAKIMA VALLEY COLLEGE CRIME STATISTICS GRANDVIEW CAMPUS

OFFENSE	ON CAMPUS			STUDENT HOUSING			NON-CAMPUS			PUBLIC PROPERTY			UNFOUNDED CRIMES		
	2023	2022	2021	2023	2022	2021	2023	2022	2021	2023	2022	2021	2023	2022	2021
	CRIMINAL OFFENSES:														
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VIOLENCE AGAINST WOMEN ACT OFFENSES:															
Sex Offenses Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses Non-forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
ARRESTS:															
Weapons: Carrying, Possessing, Etc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY ACTION:															
Weapons: Carrying, Possessing, Etc.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
HATE CRIMES:															
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

CRIME STATISTICS, REPORTING, AND PREVENTION FAQs

Where can I find YVC's crime statistics?

Crime statistic charts for Yakima and Grandview campuses are created annually for federal reporting purposes and made available to staff, students, and the community on the Campus Security website at www.yvcc.edu/services/crimestats/. Hard copies of this report are maintained in the Campus Security Department on the Yakima Campus and are available upon request. Campus Security can be reached at 509.574.4610.

How does YVC gather Clery Act crime statistics?

The YVC Campus Security Department collects reportable crime statistics as outlined in the 1990 Jeanne Clery Act from a variety of sources on and off campus. Resources used in gathering campus crime, arrest and referral statistics include but are not limited to YVC deans, directors, department heads, advisors to students, student organizations, Student Residence Center administrative staff, athletic coaches, daily crime logs and local law enforcement agencies that collect and maintain data related to our main campuses and YVC satellite locations when required. Consistent with federal law, these statistics may also include crimes that have occurred both on and off campus.

How can I report a crime or criminal activity at YVC?

Crimes in progress should always be reported to 911 for local emergency response. Crimes or suspected criminal activity on the YVC Campus, including those that occur during YVC sanctioned events, should be reported to Campus Security or a YVC campus authority listed below. If you see suspicious activity, car prowls or suspicious persons, contact Campus Security at 509.574.4610. After hours, or in the event of a power outage, Campus Security may be reached via their secondary line at 509.424.0022.

YVC Campus Security Authorities:

- Campus Security
- College Administrators
- Program Directors
- Instructors
- Housing Authorities
- YVC Coaches

How can I make an anonymous report at YVC?

The Campus Safety Department encourages anyone who is a victim or witness to any crime to promptly report the incident as described above. YVC will make every effort to hold these reports in confidence, however there may be situations where the College is legally obligated to disclose the report. If you are the victim of a crime and do not want to pursue action within the college system or the criminal justice system, you may still want to consider making an anonymous report. Anonymous reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made as described below. Reference [WAC: 132P-33-420 \(3\)](http://app.leg.wa.gov/WAC/default.aspx?cite=132P-33-420)²

- The Counseling and Advising Center provides limited confidential counseling services. These services include providing information on how to file an official report for investigation.
- Resources about sexual assault and relationship violence is available from the Counseling and Advising Center and from the Human Resources office.

² <http://app.leg.wa.gov/WAC/default.aspx?cite=132P-33-420>

- Counseling and Advising Center professionals are not required to report crimes for inclusion in the Annual Security & Fire Report unless there is a threat to the safety of the individual or others. However, YVC encourages the Counseling and Advising Center professionals to inform recipients of their services and how to provide anonymous reports.

How does YVC Campus Security follow-up on reported crime on campus?

When a crime is reported, the responding security officer or campus authority investigates the alleged crime. The investigating officer or campus authority determines if outside law enforcement is required. The campus security & safety supervisor reviews incident reports and disseminates the reports to all administrative authorities affected by the incident. Additional matters that may require follow-up are managed through the campus security & safety supervisor.

Matters requiring an investigation for potential student discipline are handled in a confidential manner in compliance with the Family Education Rights and Privacy Act (FERPA) and Washington Administrative Code 132P-33 and available in YVC's [Code of Conduct](#)³. There are circumstances when federal and state requirements do not allow for full confidentiality. Hearings are closed unless the students involved agree to waive this right. The college seeks to provide full confidentiality whenever possible.

Preservation of Evidence (Sexual Assault)

Preserving evidence of a sex offense is time critical. YVC encourages victims to consider this when determining their method of reporting. Evidence may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.

How does YVC educate the campus community about crime prevention, safety and security?

YVC takes a proactive approach to crime on campus by offering information to students and staff through crime awareness and prevention programs, such as Active Shooter, De-escalation and Personal Protection, offered throughout the year by the Campus Security Department.

Recent incidents of violence on college campuses have compelled many institutions to designate a group of faculty and staff to monitor student behavior and intervene sooner than previously thought necessary. Some behavior is of concern but perhaps does not yet rise to the level of a disciplinary or safety infraction. YVC's designated group to address such concerns is called YVC Cares. YVC faculty and staff can report concerns directly to the YVC Cares team. Students should report concerns to a YVC faculty or staff member. Campus Security also posts and distributes detailed Emergency Procedure Flip Books to inform students and staff about what to do in the event of an emergency. YVC's [Emergency Preparedness Plan](#)⁴ is available online.

Campus Security also provides [announcements and security alerts](#)⁵.

Other resources are provided by the Student Life Office including regularly scheduled awareness programs regarding the prevention of crimes and local resources for victim assistance. In addition, the Counseling and Advising Center publishes a [community resources guide](#)⁶. The channels by which the campus community is informed of the Annual Security & Fire Report are detailed below.

³ <http://www.yvcc.edu/codeofconduct>

⁴ <http://www.yvcc.edu/emergencyprocedures>

⁵ <https://www.yvcc.edu/services/safety-security/alerts/>

⁶ <http://www.yvcc.edu/services/wp-content/uploads/sites/6/2020/06/Yakima-Lower-Valley-Community-Resource-Guide.pdf>

Sexual harassment awareness and prevention programs held in 2023

Informational Resources YVC policies regarding sexual harassment and misconduct as well as other behavioral violations are available at: <http://www.yvcc.edu/codeofconduct>. They are also described during quarterly new student orientations, including orientations tailored to the need of College and Career Readiness students.

Athletics: Annual student-athlete orientations are conducted with each team separately at the beginning of each fall quarter. Information about college policies and procedures regarding sexual harassment, misconduct and other behavioral violations of the student-athletic code of conduct and general student code of conduct are discussed.

Get Inclusive: Free Training YVC contracted with Get Inclusive for sexual harassment awareness and prevention training in 2023.

Student Residence Center (SRC) Orientation New residents attend a mandatory new resident orientation. The orientation includes a video on the following topics related to sexual harassment:

- Resources and information
- Clery Act
- Annual Security Report
- Crime statistics
- Violence Against Women Act
- Title IX

Student Residence Center Policies and Procedures

During new resident orientations, students are given instructions referenced in the [Student Residence Center Housing Manual \(PDF\)](#)⁷ regarding residence hall safety and security procedures. Student residents are instructed on the importance of not sharing keys, locking room doors, and not allowing anyone except guests into the hall.

A detailed list of items and activities that are prohibited at the Student Residence Center can be found in the Student Residence Center Housing Manual. Those items and activities include but are not limited to issues to life safety and security related matters that are available in the student manual.

During new resident orientation, evacuation procedures for campus are referenced and discussed.

How does YVC notify the campus community of its Annual Security & Fire Report?

The existence and location of the YVC Annual Security & Fire Report is communicated to the campus community via all of the following channels: YVC's website (yvcc.edu), YVC's Facebook page, BrightAuthor TV screens throughout campus, the YAK or similar publication from the student government (ASYVC), and the annual presentation at the Board of Trustees meeting.

What crime prevention services and programs does YVC offer?

YVC Campus Security offers a variety of crime prevention services and programs including personal escort to and from classes when requested, active campus patrol, active shooter awareness training,

⁷ <http://www.yvcc.edu/students/wp-content/uploads/sites/7/2019/12/YVC-SRC-Housing-Manual-2019-2020-A.pdf>

personal crime prevention tips targeted towards observed attractive nuisances or noted vulnerabilities, rape aggression defense courses, and employee crime prevention orientation upon request.

YVC Campus Security works in concert with the college's Criminal Justice Program to provide work- study and co-op educational programs that enhance patrols and security presence on campus.

How does YVC provide timely warnings regarding criminal activity?

In order to keep the campus community informed about safety and security issues, it is YVC's policy to notify the campus community of certain crimes in a timely manner to aid in the prevention of similar crimes.

As YVC authorities receive information regarding crimes or criminal activity, Campus Security investigates the information and confers with other campus authorities, including the public information officer (PIO) who then evaluates the need for emergency notification. Emergency notification methods include but are not limited to the college's website and text/email notification system ([RAVE](#))⁸. Other notifications may also include the college voice alert system that operates through the fire alarm. Warnings/notifications may also be posted on the BrightAuthor TV screens throughout campus. The PIO will assist the security & safety supervisor in distributing timely warnings.

Timely warnings may be issued for other offenses not required by the Jeanne Clery Act if it has been determined the warning will assist in the prevention of similar offenses. Additional information is available in the Campus Security Office and in the [YVC Emergency Preparedness Plan](#)⁹

Student Residence Center Policies and Procedures

During new resident orientations, students are given instructions referenced in the [Student Residence Center Housing Manual \(PDF\)](#)¹⁰ regarding security awareness and crime prevention. Information regarding RAVE is shared with housing students.

How does YVC provide security and safety information to the campus community?

YVC posts Emergency Procedure Flip Books that outline emergency and evacuation procedures and emergency contact information in all classrooms, office spaces, and the Student Residence Center. The campus community produces various publications such as the course catalog, and division newsletters that contain safety and security information. In addition to the alert systems, visual notification monitors are in the Student Residence Center, Security Office and Student Union Building to provide safety and security related updates as needed. Regular safety and security notices are also posted on the [Campus Security website](#)¹¹.

What are YVC guidelines regarding security and facilities access?

During normal hours of operation, the college is open to students, employees, visitors, and the community. Please see hours of operation at the [Campus Security website](#).

After-hours access is arranged by special request through the Facility Operations Department or Campus Security Department.

Student Residence Center Policies and Procedures

The college employs a director of auxiliary services and two live-in program assistants. The program

⁸ <https://www.getrave.com/login/yvcc>

⁹ <http://www.yvcc.edu/emergencyprocedures>

¹⁰ <http://www.yvcc.edu/students/wp-content/uploads/sites/7/2021/04/YVC-SRC-Housing-Manual-2019-2020-A.pdf>

¹¹ www.yvcc.edu/security

assistants mainly work nights and weekends in the Hopf and Lyon Halls. Student Residence Center staff review residence hall security procedures outlined in the [Student Residence Center Housing Manual \(PDF\)](#)¹² with all students living on campus during orientation.

Generally, the main entrance to the Hopf Hall is secured 24-hours a day through a “fob” access system. The upper floor doors in Lyon Hall are also secured 24-hours a day by a door access system.

(Exceptions to the 24-hour locked schedule include construction and maintenance projects, camps, or various times in the summer.)

Only student residents and appropriate staff are issued keys for room doors, and key fobs (cards) for the residence halls. Generally, the recreation room and office are open during business hours and locked to the public during nights and weekends. Main entrances are under closed caption television surveillance, which are recorded but not monitored. Schedules are subject to change depending on staff schedules, holidays, etc.

Residence hall students are advised to shut and lock their doors and facility entry doors whenever possible to prevent the loss of any valuables.

Campus Security conduct routine patrols and emphasis patrols, as necessary, and proactively use a two-way radio communication system with staff at the Student Residence Center.

How does YVC monitor access to campus facilities?

YVC is an open campus during posted hours of operation. Outside the posted hours of operation, access to YVC facilities is monitored through an electronic security system and video surveillance cameras. The use of YVC facilities outside of posted hours of operation is scheduled through the YVC facilities use coordinator. YVC security officers maintain a continual patrol and surveillance of campus facilities, parking lots and the campus perimeter 24 hours a day, 7 days a week.

Who has law enforcement authority on YVC campuses and satellite locations?

YVC’s Campus Security is responsible for the enforcement of college policy, rules, regulations, including monitoring of college parking and routine patrol of the campus. Campus Security assists local, state and federal law enforcement agencies regarding crimes on campus, or by request from those agencies. This includes tracking, monitoring, and providing crime statistics required by the Jeanne Clery Disclosure Act of 1998, which are made available in the Campus Security Office on the [Yakima Campus. Crime statistics](#)¹³ web page.

YVC does not currently have an active memo of understanding (MOU) with outside agencies; however, Campus Security does maintain a cooperative relationship with all public safety agencies and may summon local law enforcement agencies for incidents outside their authority. YVC campuses may employ off-duty police officers to support events or operations when deemed appropriate. Sworn police officers from the following law enforcement agencies have arrest powers at their respective locations:

- **Yakima Campus** – Yakima Police Department; Yakima County Sheriff’s Department
- **Grandview Campus** – Grandview Police Department
- **Sunnyside Learning Center** – Sunnyside Police Department
- **Toppenish Learning Center** – Toppenish Police Department
- **Ellensburg Learning Center** – Ellensburg Police Department

¹² <http://www.yvcc.edu/students/wp-content/uploads/sites/7/2021/04/YVC-SRC-Housing-Manual-2019-2020-A.pdf>

¹³ <http://www.yvcc.edu/services/crimestats/>

What services are available for victims of a crime on campus?

The college employs mental health counselors on both the Yakima and Grandview campuses. Personal short-term counseling services are available at no cost. Following an initial visit, the victim may be referred to local hospitals, victim advocate services, and mental health agencies. Information shared in a personal counseling session is confidential.

SEX CRIME REPORTING AND PREVENTION FAQs

Position Statement

YVC prohibits rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking.

What are YVC's sexual harassment policies and procedures?

YVC recognizes its responsibility for investigation, resolution, implementation of corrective measures, and monitoring the educational environment and workplace to stop, remediate, and prevent discrimination on the basis of race, color, national origin, age, disability, sex, sexual orientation, marital status, creed, religion, or status as a veteran of war as required by Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, [RCW 49.60.030](#)¹⁴ and their implementing regulations.

College-wide definitions and procedures are available on the [Human Resources website](#)¹⁵.

See Appendix: E. [4.32a - DISCRIMINATION AND SEXUAL HARASSMENT.pdf](#)

F. [4.32b - SEXUAL HARASSMENT.pdf](#)

Student-specific policies, definitions, and procedures are published in the [Washington Administrative Code 132P-33](#)¹⁶, sections 400 through 540, accessible via a link to Washington State's site by visiting [Students Code of Conduct](#)¹⁷. Hard copies of the procedures are available in the Dean of Student Services Office, Yakima campus, and the Student Services Office, Grandview campus.

On the same date, correspondence is delivered to the respondent; the complaint is delivered a copy with the respondent's address redacted. This dual notice applies to the breadth of relevant information, including investigatory notices, disciplinary decisions, protective orders and appeal proceedings. If the alleged victim is deceased, the college will attempt to notify next-of-kin in accordance with college procedure.

What does YVC do in regards to sexual harassment/assault prevention?

Primary Prevention and Awareness Programs

Primary prevention is a program of activities directed at improving general well-being while also involving specific protection for a selected problem.

YVC's Sexual Assault Prevention and Awareness Program ("awareness training") is a formal process for educating employees about domestic violence, dating violence, stalking, and sexual assault prevention. In an effort to educate the campus community about sexual assault (including prevention and awareness of sex offenses, procedures to follow if a sex offense occurs, procedures for on campus disciplinary action, possible sanctions, and distribution), resources and campus-sponsored awareness programs are offered on an ongoing basis throughout the year for incoming students and employees.

Sexual Assault Prevention and Awareness Program

The college's Sexual Assault Prevention and Awareness Program reinforces the College's commitment to eliminate incidents of sexual assault through a comprehensive practice that centers on awareness and prevention, training and education, victim advocacy, response, reporting, and accountability. YVC policy promotes sensitive care and confidential reporting for victims of sexual assault and accountability for those who commit these crimes. For the purposes of this policy, confidentiality or confidential reporting

¹⁴ <http://apps.leg.wa.gov/RCW/default.aspx?cite=49.60.030>

¹⁵ <https://www.yvcc.edu/human-resources/>

¹⁶ <http://app.leg.wa.gov/wac/default.aspx?cite=132P-33>

¹⁷ <http://www.yvcc.edu/students/code-of-conduct/>

is defined as allowing a victim to report a sexual assault to specified individuals (Campus Security Authorities). This reporting option gives the victim access to medical care, counseling, and victim advocacy, without initiating the investigative process.

What are YVC's confidential pathways for crime reporting?

Matters requiring an investigation for potential student discipline are handled in a confidential manner in compliance with the Family Education Rights and Privacy Act (FERPA) and Washington Administrative Code 132P-33, available in YVC's [Code of Conduct](#)¹⁸. College personnel honor requests to keep sexual misconduct complaints confidential to the extent this can be done without unreasonably risking the health, safety and welfare of the complainant or other members of the college community or compromising the college's duty to investigate and process sexual harassment and sexual violence complaints.

Reference [WAC 132P-33-420 \(3\)](#)¹⁹

How does YVC manage reported sexual assaults on or near campus?

YVC prohibits sexual discrimination, including sexual assault and sexual harassment, in any form. Such actions constitute a violation of YVC Policies, Washington State laws against discrimination and federal laws including Title IX and/or the Violence Against Women (VAWA Act). Any individual wishing to report sexual harassment and/or sexual assault can contact the Title IX officer who is the Director of Human Resource Services or any Campus Security Authority, which includes Campus Security, College Administrators, Program Directors, Instructors, Housing Authorities, and YVC Coaches. Any individual found to be in violation of this procedure will be subject to disciplinary action up to and including dismissal from the college and/or from employment. Information regarding [sexual harassment/assault is available](#)²⁰.

See Appendix:

E. [4.32a - DISCRIMINATION AND SEXUAL HARASSMENT.pdf](#)

F. [4.32b - SEXUAL HARASSMENT.pdf](#)

In an effort to educate the campus community and promote awareness towards the prevention of rape or other sexual assaults, Campus Security offers a Rape Aggression Defense (RAD) workshop to campus community groups by request. To request or schedule a workshop, contact Campus Security at 509.574.4610. Should an individual experience or witness an event of sexual assault, call 911 for emergent care and or police response and then contact Campus Security at 509.574.4610 or after hours/weekends at 509.424.0022 to make a formal internal report and initiate an investigation if needed. Those involved in a crime scene should take extra caution to preserve physical evidence related to the crime.

How does YVC support victims of sexual assault?

The college employs mental health counselors on both the Yakima and Grandview campuses. Personal short-term counseling services are available at no cost. Following an initial visit, the victim may be referred to local hospitals, victim advocate services and mental health agencies. Information shared in a personal counseling session is confidential.

Student Residence Center Policies and Procedures

Resident student victims have the option to change their academic and/or on-campus living situations

¹⁸ <http://www.yvcc.edu/codeofconduct>

¹⁹ <https://apps.leg.wa.gov/wac/default.aspx?cite=132P-33-420>

²⁰ <https://www.yvcc.edu/human-resources/equal-opportunity/>

after an alleged sexual assault, if such changes are reasonably available. Resident student victims have the option to terminate their housing contract and receive a refund of remaining room charges and deposit. The Student Residence Center follows campus protocol from investigation to responding to the victim's needs as mentioned above.

How does YVC manage sex offender registration?

YVC seeks to protect and enhance the safety and welfare of students and staff by providing timely and appropriate notification of the presence or enrollment of a registered sex offender. Campus Security is the designated office to receive official notifications. The dean of student services or designee coordinates the notification process in consultation with the college president.

See Appendix: H. [5.07 - NOTIFICATION OF REGISTERED SEX OFFENDERS.pdf](#)²¹

²¹ <https://www.yvcc.edu/forms/wp-content/uploads/sites/10/2020/12/5.07-NOTIFICATION-OF-REGISTERED-SEX-OFFENDERS-A.pdf>

EMERGENCY NOTIFICATIONS AND TIMELY WARNINGS

Emergency Notifications

Under the Clery Act, the college issues emergency notifications to students and employees when certain threatening events take place within YVC's Clery geography.

When is an emergency notification necessary?

Under the Clery Act, the institution is required to notify the college community as soon as there is reasonable confirmation of a significant emergency or dangerous situation occurring on a campus that involves an immediate threat to the health or safety of students or employees. The college is not required to alert the college community if a threat is immediately contained.

An immediate threat includes an imminent or impending threat, such as an active assailant, approaching tornado, or fire currently taking place in one of our buildings. To report an emergency that presents such a threat, call 911 immediately and identify your location to the police dispatcher. After calling 911, the reporting party or someone at the scene should call campus security.

Additional emergency responders or college officials may raise the need and decide to notify the college community about non-police related emergencies, such as an infectious disease outbreak.

How does YVC determine if an emergency notification should be issued due to a significant emergency or dangerous situation involving an immediate threat to health and safety?

Police-related emergencies:

YVC security personnel immediately gather information upon a report of an emergency or dangerous situation and evaluate the situation as quickly as possible for any immediate risk to the college community.

Information can be limited in the first moments of an emergent response, but officers will work to quickly gather initial information from as many people as possible, visually assess the situation, and look for evidence of a crime. If the information available indicates that there is an immediate risk to the health and safety of the campus community, even if a report has not been verified as credible, the responding security officer or officers will alert their supervisor to request a review for an emergency notification. The supervisor will immediately contact the appropriate administrator or designee with known information for immediate consideration. The Director of Community Relations or designee will initiate the process of sending an emergency notification.

When initiating the process for considering an emergency notification, security and the appropriate administrators will consider the overall safety of the college community. The Director of Community Relations will, without delay, and considering the safety of the community, determine the content of the notification and initiate and send through the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim(s) or to contain, respond to or otherwise mitigate the emergency. Information that may harm the victim(s) or compromise emergency response will not be included in a notification.

When an emergency or dangerous situation is reported to YVC Security, the supervisor will consider the facts known at that time to assess the nature of the emergency, its severity, and the areas or segments of the college community that are endangered.

The emergency notification will be issued immediately upon confirmation that a dangerous situation or emergency exists or is threatened.

During extreme circumstances, such as an active assailant, YVC Security may send an emergency alert and then the Director of Community Relations will follow up with updated information.

The college weighs possible risk of compromising law enforcement efforts or endangering a victim of a crime before sending an emergency notification.

If a threat has been immediately contained by law enforcement, or if the incident appeared to be targeted toward specific individuals known to the assailant and there is no threat to other individuals, no warning is issued.

Other emergencies:

Some examples of non-police related situations in which an emergency notification would be considered include:

- Approaching tornado or other extreme weather
- Large scale gas leak or chemical spill on, near or possibly approaching a campus.
- Explosion or large fire on, near or possibly approaching a campus.

The only reason that YVC would not immediately issue a notification for a confirmed ongoing emergency or dangerous situation would be if doing so would compromise efforts to:

- Assist a victim
- Contain the emergency
- Respond to the emergency, or
- otherwise mitigate the emergency

This determination will be re-evaluated and, if situations change, an emergency notification may be issued.

How can I report emergencies on or around campus?

Yakima Campus emergency incidents that affect personal health or safety on campus, call 911 immediately and then contact Campus Security at 509.574.4610, or after hours/weekends at 509.424.0022, or come to the Campus Security Office located in Campus Operations Complex (029) east of the Student Residence Center.

Grandview Campus and learning centers must call 911 for any emergency and for suspicious activity on those sites, and then contact an administrator on duty at:

- Grandview Campus: 509.882.7052

- Toppenish Learning Center: 509.834.4550
- Sunnyside Learning Center: 509.837.9623
- Ellensburg Learning Center: 509.925.4011

How does YVC notify the campus community about immediate threat to life or safety?

Emergency incidents, including criminal activity that compromise the safety and security of the campus community identified by students, faculty, staff or visitors should be reported first to 911 and then communicated to Campus Security.

Emergencies that pose an immediate threat to the health or safety of any campus community members or its facilities will be communicated to the affected body of the community by a variety of delivery methods appropriate to the specific threat.

The following methods of communication may be used individually or in concert with others:

- Sirens and Public Address
- RAVE Text/Email Notification System
- YVC Website
- Emergency Phone Trees
- Voice Mail Messaging
- Media Release/Press Conference

How does YVC test and evaluate emergency response and evacuation process?

YVC performs annual confidence testing of all fire suppression, alarm devices and systems. In addition, audible enunciators are tested. On the 12th day of each academic quarter YVC tests our emergency communication pathways, including emergency text messaging, email alerts and RSS feeds to YVC's webpage and electronic display monitors on campus.

FIRE SAFETY FAQs

What fire evacuations, exercises, and trainings does YVC perform?

YVC Emergency Preparedness Team annually reviews the College's Emergency Preparedness Plan in regards to emergency response and evacuation. The College also drills its emergency response team annually on evacuation techniques and procedures that assist responding fire department personnel. All college responders are also certified in CPR, First Aid, and the use of AEDs.

Fire Statistics

For the previous year there was one arson related fire reported on campus.

Student Residence Center Policies and Procedures

The Student Residence Center plans for and exercises a minimum of one fire drill and dorm evacuation each year and debriefs following those drills with YVC emergency responders to evaluate the process.

Fire Statistics for Student Residence Center

For the previous year there were no arson related fires reported in the Student Residence Center.

What fire safety systems are present on YVC campuses?

Fire extinguishers and fire suppression systems are present in all campus buildings. Smoke and heat detectors with audible horns and strategically located pull stations are present throughout all buildings and are connected to a 24-hour, externally-monitored system.

Fire Safety System for Student Residence Center

The fire safety system in each residential facility includes multiple fire extinguishers on each floor, hard wired smoke detectors in all rooms except a few that have battery powered smoke detectors, annunciator located throughout the building, and pull stations at each hall entrance that are connected to a 24-hour externally-monitored system.

Who to Notify in the Case of Fire?

In the case of fire, first call 911.

As a follow up, notify Campus Security at 509.574.4610 or after hours/weekends at 509.424.0022

. In addition, you can also contact:

- Facility Operations 509.574.4692
- Student Residence Center 509.574.4897, 509.574.4885, and 509.574.4880
- Student Residence Center evening line 509.406.5502

How does YVC educate the campus community regarding fire safety and training?

YVC provides emergency evacuation information to students, staff and visitors by posting Emergency Procedure Flip Books in all campus facilities and on the [Campus Security website](#)²².

Student Residence Center Policies and Procedures

During new resident orientations, students are given some instructions referenced in the [Student Residence Center Housing Manual \(PDF\)](#)²³ regarding residence hall fire safety procedures.

Student residents are instructed on some of the items prohibited in the Student Residence Center and fire alarm and evacuation procedures. Also, SRC staff conduct quarterly fire, life, and safety room inspections.

²² <https://www.yvcc.edu/services/safety-procedures/>

²³ <http://www.yvcc.edu/students/wp-content/uploads/sites/7/2021/04/YVC-SRC-Housing-Manual-2019-2020-A.pdf>

MISSING PERSONS FAQS

What is YVC's policy regarding missing persons?

Student Residence Center Policies and Procedures

Residence Hall staff advises every student who lives in on-campus student housing, regardless of age, that he or she may register one or more individuals to be a confidential contact strictly for missing persons purposes. The contact person can be anyone and can be updated by the student at any time. Students are given this option even if they have already identified a general emergency contact. A student may identify the same individual for both purposes, but YVC will not assume that a general emergency contact is also the missing person contact. Students are offered this option upon check-in. Information on how to register a contact or contacts can be found by contacting the Student Residence Center.

If a resident of the YVC Student Residence Center appears to be missing for a period of 24 hours or more or Student Residence Center staff is notified that a resident is missing, the following will occur:

- A Student Residence Center staff person will go to the dorm room to see if the resident is in the room. If upon knocking and identifying themselves the staff person does not get a response, they will enter the room for a well-being check.
- The Student Residence Center staff person will call any telephone number(s) the resident has indicated as their personal number.
- The Student Residence Center staff person will interview other residents in the Student Residence Center to ask if they know where the missing resident is.
- If at this time the resident is not accounted for Student Residence Center staff will notify Campus Security.
- Campus Security officers and Student Residence Center staff will determine if they need to notify the Director of Auxiliary Services at this time (in the event the incident occurs after regular Student Residence Center Office hours).
- Campus Security officers and/or the director of auxiliary services will notify counselors and faculty to determine if they know the resident's location.
- If a predetermined contact has been given to the Student Residence Center, that individual will also be contacted at this time.
- Campus Security officers will call civil authorities if needed.
- In the event Campus Security officers or the Director of Auxiliary Services are not available, a Student Residence Center Program Assistant will notify civil authorities if needed to locate the resident and/or report them missing.

DRUG AND ALCOHOL POLICIES FAQs

What are YVC's policies regarding drug and alcohol abuse?

YVC complies with Public Law 100-690 and the Drug-Free Schools and Campuses regulations (EDGAR Part 86), providing information and following policies for the purpose of preventing and addressing alcohol and drug abuse. It is the goal of YVC to adhere to federal regulations and provide a drug-free environment. YVC is dedicated to maintaining a drug-free campus for students and employees.

Students and employees are notified annually of the college's policies and procedures regarding drug and alcohol abuse, including health risks, treatment options and potential sanctions.

Additional information is available in the [college catalog](#)²⁴ under the heading Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act of 1989. The college's most recent biennial review of compliance with the Drug-Free Schools and Community Act of 1989 is posted in our [Consumer Information](#)²⁵.

See Appendix:

C. [4.31a Drug-free Campus Procedure \(PDF\)](#)²⁶

D. [4.31b Drug-free Campus Policy \(PDF\)](#)²⁷

Students, faculty, and staff are specifically prohibited from using, possessing, delivering, administering, or selling any controlled substance or legend drug including but not limited to anabolic steroids as defined in [RCW 69.41.010](#)²⁸ and [RCW 69.41.300](#)²⁹ as now law or hereafter amended, except when the use or possession of a drug is specifically prescribed as medication by an authorized medical or dental practitioner.

Investigative and disciplinary procedures pertaining to alleged student misconduct are available in Washington Administrative Code 132P-33, available in YVC's [Code of Conduct](#)³⁰.

Student Residence Center Policies and Procedures

Possessing, delivering, administering, consuming, or selling any alcoholic beverage or controlled substance is prohibited at the Student Residence Center. A detailed description of our housing alcohol and drugs community standards are defined in the [Student Residence Center Housing Manual](#)³¹.

²⁴ <http://catalog.yvcc.edu/index.php>

²⁵ <http://www.yvcc.edu/consumer-information/>

²⁶ <https://www.yvcc.edu/forms/wp-content/uploads/sites/10/2020/12/4.31a-DRUG-FREE-CAMPUS-A.pdf>

²⁷ <https://www.yvcc.edu/forms/wp-content/uploads/sites/10/2020/12/4.31b-DRUG-FREE-CAMPUS-A.pdf>

²⁸ <http://apps.leg.wa.gov/RCW/default.aspx?cite=69.41.010>

²⁹ <http://apps.leg.wa.gov/RCW/default.aspx?cite=69.41.300>

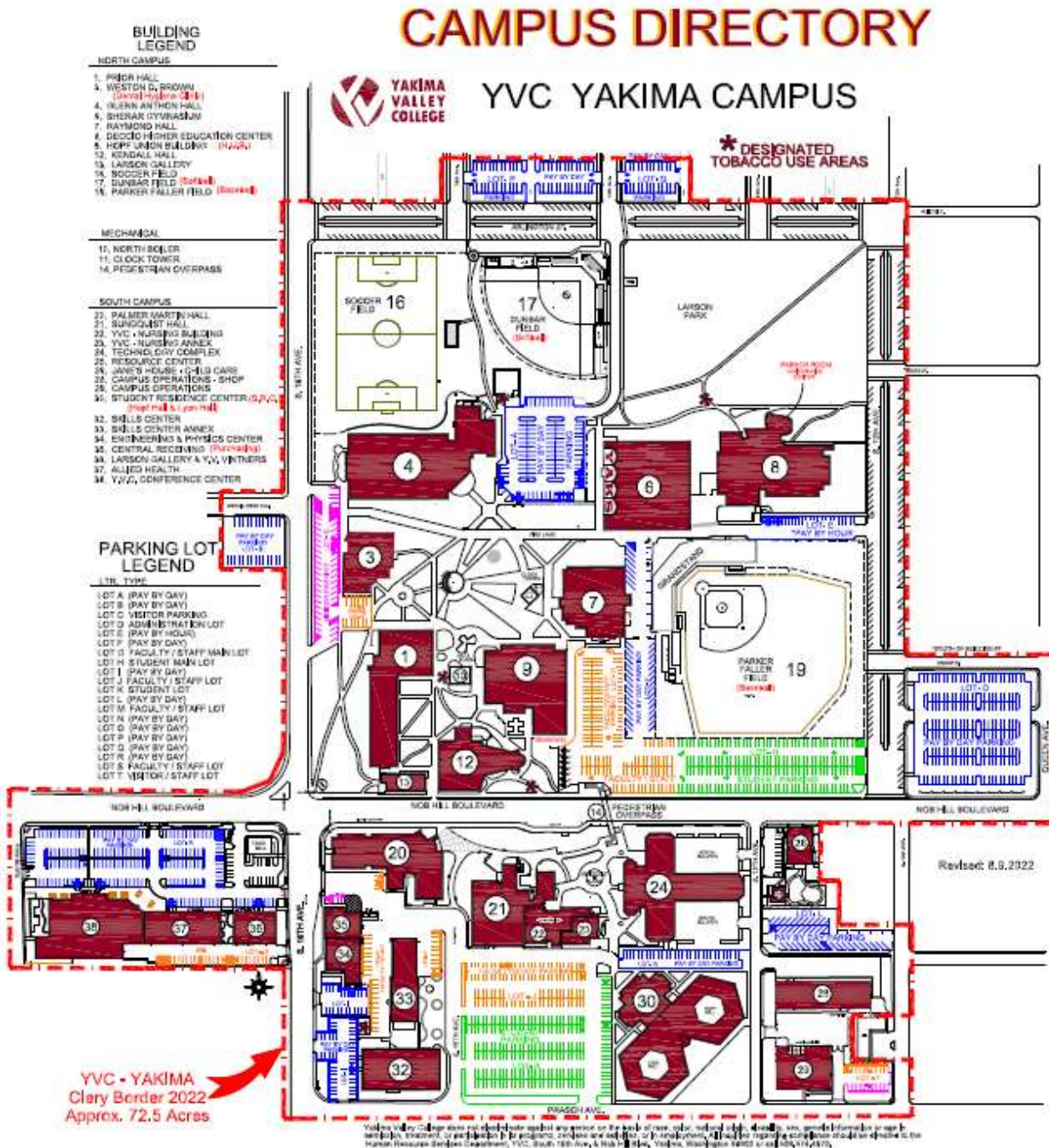
³⁰ <http://www.yvcc.edu/students/code-of-conduct/>

³¹ <http://www.yvcc.edu/students/wp-content/uploads/sites/7/2021/04/YVC-SRC-Housing-Manual-2019-2020-A.pdf>

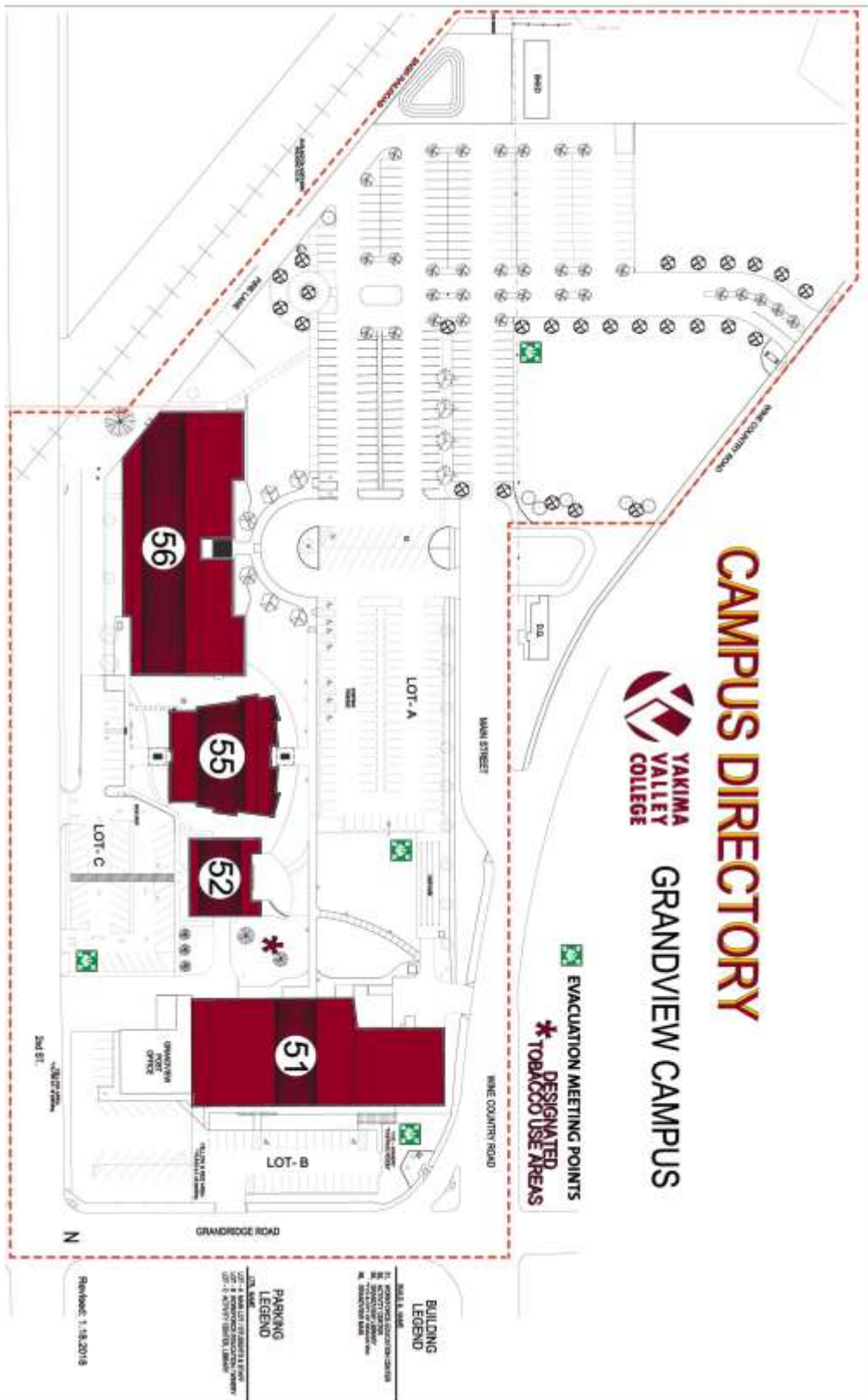
APPENDIX

- A. Yakima Campus Map
- B. Grandview Campus Map
- C. 4.31a Drug-free Campus Procedure
- D. 4.31b Drug-free Campus Policy
- E. 4.32a Discrimination and Sexual Harassment Procedure
- F. 4.32b Discrimination and Sexual Harassment Policy
- G. 5.07 Campus Notification of Registered Sex Offenders

Appendix A: Yakima Campus Map



Appendix B: Grandview Campus Map



Appendix C: 4.31a Drug-Free Campus Procedure

Update Approved by the Administrative Council on March 26, 2013 Supersedes Approval by Administrative Council on June 10, 2008

It is hereby directed that all students and employees receive annual notification of the following:

- Standards of conduct that clearly prohibit the unlawful manufacture, possession, use, or distribution of illegal drugs, marijuana and/or alcohol by students and employees on YVC property or as any part of YVC activities.
- A brief identification of known legal sanctions under local, state, and federal law for unlawful manufacture, possession, use, or distribution of illegal drugs, marijuana and/or alcohol.
- A brief description of the risks associated with the use of illegal drugs, marijuana and/or the abuse of prescription drugs or alcohol.
- A brief description of the drug and alcohol counseling, treatment, and rehabilitation programs available to YVC students and employees.
- Notification that sanctions will be imposed, consistent with all laws, collective bargaining agreements and the student code of rights and responsibilities up to referral for prosecution.

Appendix D: 4.32b Drug-Free Campus Policy

Approved by the Board of Trustees on 5/11/16, Motion No. 16-05-06
Supersedes Motion No. 13-05-01 and Motion No. 01-04-01

The Board of Trustees hereby directs that an ongoing program of education, assistance, and training be conducted to prevent the use of illegal drugs, marijuana and/or the abuse of prescription drugs or alcohol by students and employees of the college.

Yakima Valley College complies with Public Law 100-690, and the Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101 226) by providing information and following policies for the purpose of preventing and addressing alcohol and drug abuse.

Yakima Valley College prohibits the possession or use of alcohol, marijuana and illegal drugs, on campus and in all off-campus locations where classes, seminars, workshops, meetings, and college-related activities are offered.

Policy Contact: Executive Director of Human Resource Services

Discrimination and Sexual Harassment Procedure

Appendix E :

This employee discipline procedure applies to allegations 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 alleged to have engaged in Sex Discrimination or Sex-based Harassment shall be governed by the College's administrative hearing practices and procedures, WAC (To be determined by January 2025), and this disciplinary procedure. To the extent this disciplinary procedure conflicts with WAC (To be determined by January 2025), 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.

Notwithstanding the foregoing, if Respondent is a tenured or probationary faculty member and the disciplinary officer determines that the facts found in the investigation report would warrant Respondent's dismissal from the College if proven at a hearing, the disciplinary officer will refer the matter to the Tenure Dismissal Committee for a hearing pursuant to RCW 28B.50.863 and any 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 II through VII of this disciplinary procedure, the disciplinary procedure sections will prevail. At the end of the hearing, the Tenure Dismissal Committee will issue a Recommendation consistent with the provisions set forth in Section VIII. Subject to the procedures set forth below, the Complainant shall have the same right to appear and participate in the proceedings as the Respondent, including the right to present their position on the Recommendation to the appointing authority before final action is taken.

II. Prohibited Conduct

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 supplemental procedure, the following conduct is prohibited:

A. Sex Discrimination. Sex Discrimination occurs when a Respondent causes a Complainant more than *de minimis* (insignificant) harm by treating the Complainant differently from other similarly-situated individual(s) based on:

- a. Sex stereotypes;
 - b. Sex characteristics;
 - c. Pregnancy or related conditions;
 - d. Sexual orientation; or
 - e. Gender identity.
2. Preventing a person from participating in an education program or activity consistent with their gender identity constitutes more than *de minimis* harm and is prohibited.

B. Sex-based Harassment is a type of Sex Discrimination that includes:

1. **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.
2. **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:
 - a. The degree to which the conduct affected the Complainant's ability to access the College's education program or activity;
 - b. The type, frequency, and duration of the conduct;
 - c. 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;
 - d. The location of the conduct and the context in which the conduct occurred; and
 - e. Other Sex-based Harassment in the recipient's education program or activity.
3. **Sexual Violence.** Sexual Violence includes the following conduct:
 - a. **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.
 - b. **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.
 - c. **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).
 - d. **Statutory rape (Rape of a child).** Nonforcible sexual intercourse with a person who is under the statutory age of consent.
 - e. **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.

- f. **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:
 - I. The length of the relationship;
 - II. The type of relationship; and
 - III. The frequency of interaction between the persons involved in the relationship.
- 4. **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.
- C. **"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 & Dismissal of Complaints

- A. This disciplinary procedure applies only if the alleged misconduct:
 - 1. 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;
 - 2. Occurred in the United States or interfered with the Complainant's ability to access or participate in the College's educational programs or activities in the United States; and
 - 3. 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.

For purposes of this disciplinary procedure, the College's "educational programs or activities" mean all of its operations.
- B. The *disciplinary officer* after reviewing the investigation report or the *President* after receiving the Notice of Hearing determines the facts alleged, 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.

- C The *disciplinary officer* after reviewing the investigation report or the *President* after receiving the Notice of Hearing may, but is not required to, dismiss the case if:
1. 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 allegations of sexual misconduct by employees directed at students unless the student requests otherwise; or
 2. 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 allegations would not constitute Sex Discrimination, even if proven. If the Complainant is a student and the case involves allegations of Sex-based Harassment, the withdrawal must be presented by the Complainant in writing before the College will act.
- D. Dismissal does not prohibit the College from pursuing disciplinary action against a Respondent based on allegations that the Respondent engaged in other misconduct prohibited by federal or state law, employment contracts or handbooks, or other College policies.
- E. Both the Complainant and the Respondent may appeal the dismissal of a Complaint pursuant the appeal process in Section IX of this procedure.
- F. The notice of dismissal must be served on all parties and the Title IX Coordinator and contain an explanation of:
- a. Why dismissal was necessary or desirable;
 - b. The right to appeal the dismissal and a description of the procedure for appealing the dismissal; and
 - c. If applicable, notice that the Complaint is being referred to an appropriate disciplinary authority for proceedings outside the jurisdiction of this procedure.
- G. If the Dismissal involves an allegation of Sex-based Harassment, the Notice of Dismissal will be served on the Parties simultaneously.
- H. When a Complaint is dismissed, Title IX Coordinator will, at a minimum:
- a. Offer supportive measures to the Complainant as appropriate;
 - b. If the Respondent has been notified of the allegations, offer supportive measures to the Respondent as appropriate; and
 - c. 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

- A. The provisions of this disciplinary procedure shall apply equally to the Respondent and the Complainant.
- B. 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 allegations by a preponderance of the evidence. A preponderance of the evidence means on a more probable than not basis.
- C. The Respondent will be presumed not responsible until such time as the disciplinary process has been finally resolved.

Initiation of Discipline

- A. 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 the 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.
 - 1. 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 Title IX Coordinator. The request may be verbal or written, but must be clearly communicated to the *disciplinary officer*.
 - 2. 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*.
 - 3. 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.
- B. Service of the Written Recommendation or any other document required to be served under this procedure shall be done:
 - 1. In person; or
 - 2. 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

- A. 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 ten (10) business 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 an administrative law judge or other qualified person to act as the *decision maker*.

- B. Complainants and Respondents may be accompanied by an Advisor of their choosing during the disciplinary process at the Party's own expense. The Advisor may be an attorney and/or, if the Party is a represented employee, a union representative. If a Party does not select their own advisor, the College will provide the Party with an advisor at no cost to the Party.
 - 1. If the 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.
 - 2. 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.
- C. 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.
- D. 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:

- A. Relevant or Relevance means a question or evidence is related to the allegations of Sex Discrimination at issue in the proceeding. Questions are relevant when they seek evidence that may aid in showing whether the alleged Sex Discrimination occurred, and evidence is relevant when it may aid a decision maker in determining whether the alleged Sex Discrimination occurred.
- B. Impermissible evidence.
 - 1. 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:
 - a. Spousal/domestic partner privilege;
 - b. Attorney-Client and attorney work product privileges;
 - c. Privileges applicable to members of the clergy and priests;
 - d. Privileges applicable to medical providers, mental health therapists, and counselors;
 - e. Privileges applicable to sexual assault and domestic violence advocates; and
 - f. Other legal privileges identified in RCW 5.60.060.
 - 2. 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:

- a. Is asked or offered to prove someone other than the Respondent committed the alleged misconduct; or
 - b. Concerns specific incidents of prior sexual behavior between the Complainant and the Respondent, which are asked or offered on the issue of consent.
- C. 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.
- D. In a proceeding involving allegations of Sex-based Harassment in which a student is a Complainant, the *decision maker* shall review, in advance, all questions the Complainant 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.
- E. In a proceeding involving allegations 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

- A. The *decision maker* will be responsible for drafting an Initial Order that:
- a. Identifies the allegations of Sex Discrimination;
 - b. 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;
 - c. Makes findings of fact supporting the determination of responsibility;
 - d. Reaches conclusions as to whether the facts establish whether the Respondent is responsible for engaging in Sex Discrimination in violation of Title IX;
 - e. Contains a statement of, and rationale for, the [*decision maker's*] determination of responsibility for each allegation;
 - f. Describes the disciplinary sanction or conditions imposed against the Respondent, if any;
 - g. Describes to what extent, if any, Complainant is entitled to remedies designed to restore or preserve Complainant's equal access to the College's programs or activities; and
 - h. Describes the process for appealing the Initial Order to the *appeal officer*.

- B. The Initial Order shall be served on the Parties and the Title IX Coordinator. If the case involves allegations of Sex-based Harassment, the Initial Order shall be served on the Parties and the Title IX Coordinator simultaneously.

Appeals

- A. All Parties, including the *employee 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. Failure to file a timely appeal constitutes a waiver of the right to appeal and the Initial Order or dismissal shall be deemed final.
- B. 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.
- C. If necessary to aid review, the *appeal officer* may ask for additional briefing from the parties on issues raised on appeal.
- D. *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.
- E. The Final Decision shall be served on all Parties and the Title IX Coordinator. If the case involves allegations of Sex-based Harassment, the Final Decision shall be served on the Parties and the Title IX Coordinator simultaneously.
- F. 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.

Alma Ramirez
Chief Human Resources Officer and Title IX Coordinator
Human Resource Services Department
South 16th Avenue & Nob Hill Blvd
Yakima, WA 98902
509-574-4670

The Title IX officer or designee:

- Shall publish and distribute information regarding sexual harassment and how a complaint alleging sexual harassment can be filed.
- Will accept all complaints and referrals from College employees, students, and visitors.
- Will assist in the processing of complaints.
- Will keep accurate records of all complaints and referrals for the required time period.
- May conduct investigations.
- Will make findings of fact on investigations completed.
- May recommend specific corrective measures to stop, remediate, and prevent the inappropriate action.

Appendix G: 5.07 Campus Notification of Registered Sex Offenders

Update Approved by the Administrative Council on October 23, 2018

Purpose: To protect and enhance the safety and welfare of the students and staff of Yakima Valley College by providing timely and appropriate notification of the presence or enrollment of a registered sex offender. 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 or staff, and without causing undue disruption to the positive college environment enjoyed by students and staff. This procedure is not intended to direct faculty or staff to monitor conduct of a registered sex offender nor to report to any agency.

Authority: Pursuant to RCW 4.24.550, registered sex offenders who are students at any institution of higher education are required to register with the county sheriff within ten days of enrolling at the institution, whichever is earlier; offenders already enrolled must register immediately (RCW 9A.44.130). Pursuant to RCW 4.24.550 (1), Yakima Valley College is authorized to notify the college community when information is received that a registered sex offender is enrolled and/or is expected to be on or near the college campus, including off-site facilities.

The extent of public disclosure of relevant and necessary information about a registered sex offender shall be directly related to:

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

Immunity: Yakima Valley College and its employees are immune from civil liability for damages for any discretionary risk level classification decisions or release of relevant and necessary information, unless it can be shown that the official, employee, or agency acted with gross negligence or in bad faith (RCW 4.24.550 (7)).

Procedures:

1. The Campus Security Office shall be the designated office to receive official notifications concerning registered sex offenders from the Yakima County Sheriff or other police agencies with appropriate jurisdiction. Upon notification from law enforcement that a registered offender has registered locally and resides close to campus and/or has indicated the intent to enroll at the college, the Campus Security Office will immediately notify the Dean of Student Services.
2. The Dean of Student Services will coordinate notification of the college community.

3. Upon learning that a registered sex offender has enrolled or intends to enroll at the college, the Dean of Student Services will take the following steps:
 - a. Make a reasonable attempt to contact the appropriate police agency to obtain such additional information as may be useful to guide appropriate notification actions.
 - b. Consult with the president and/or designee to review available information and assess safety issues for enrolled students and the college child care center and student residence center.
 - c. Determine appropriate and relevant information about the registered sex offender needed by the college community in order to enhance safety.
 - d. Make a reasonable attempt to meet with the registered sex offender to make him or her aware of the notification procedure and the intended actions of the college. Failure of the registered sex offender to meet with the college shall not preclude the college from providing notification pursuant to this procedure.
4. Notification actions will correspond with the offender classification level in the following manner:
 - a. Level I – Low Risk (to re-offend)
 - i. Campus Security
 - ii. President
 - iii. Vice Presidents
 - iv. Director of Human Resource Services
 - v. Director of Auxiliary Services (campus housing)
 - b. Level II – Medium Risk (to re-offend)
 - i. All Level I notifications
 - ii. Faculty and Staff in whose programs/courses the offender is enrolled
 - iii. Counseling Center
 - iv. Student Employment (Work Study)
 - v. Tutoring Center
 - vi. Math and Writing Centers
 - vii. Childcare Center
 - viii. Running Start
 - ix. Any other college program with a significant population of students under the age of 18
 - x. Any other program or office with whom the student has or is likely to have contact
 - xi. Library
 - c. Level III – High Risk (to re-offend)
 - i. All Level I and Level II notifications
 - ii. Posting all campus bulletin boards with photograph
 - iii. E-mail to all college faculty and staff
 - iv. Notification to all classes in which the offender is enrolled

Student Employment: The college may exercise its right not to employ the person, or to assign limited employment hours, job duties, work sites or other restrictions.

Campus Housing: The college may exercise its right to deny permission to live in campus housing or in any other housing sponsored by YVC.

Admission: The college may deny admission to an applicant after reviewing circumstances and determining that the applicant's presence would create a disruptive atmosphere within the college not consistent with the purposes of the institution, in accordance with RCW 28B.50.090(3)(b). Each applicant who is a registered sex offender will be evaluated on the basis of information provided by law enforcement agencies.

The college may:

- a. Deny admission;
- b. Expel an admitted student who failed to disclose relevant information and/or failed to abide by local, state or federal law;
- c. Set restrictions on:
 - Classroom attendance
 - Locations on or near campus where the individual may be allowed
 - Participation in college-sponsored activities, including but not limited to field trips
 - Access to the college's student computing network

Procedure Contact: Vice President for Instruction and Student Services